

**Commonwealth Title Insurance Company**W. R. RUST BUILDING  
TACOMA, WASHINGTON**PRELIMINARY  
CERTIFICATE OF TITLE**

No. 30220-135 13A1

Cause #467

To THE UNITED STATES OF AMERICA:

The COMMONWEALTH TITLE INSURANCE COMPANY, a corporation organized and existing under the laws of the State of Washington, with its principal office in the City of Tacoma, hereby certifies that from its examination of the title to the real estate described in SCHEDULE A hereof, as of the 10th day of July, 1943 at 8:00 o'clock A.M., the title to the said described real estate was indefeasibly vested in fee simple of record in:

TACOMA HARBOR LUMBER COMPANY, a Washington corporation,

subject only to the objections, liens, charges, encumbrances and other matters shown under SCHEDULE B hereof.

The maximum liability of the undersigned under this certificate is limited to the sum of

TWO HUNDRED FIFTY and No/100 --- DOLLARS (\$250.00)

This certificate of title is made in consideration of the payment of the premium by the applicant and for its use and that of its immediate vendor.

IN WITNESS WHEREOF the said Company has caused its corporate seal to be hereto affixed and these presents to be duly signed in accordance with its by-laws.

**Commonwealth Title Insurance Company**

*George Fogg* President  
*Summit E. Perry* Assistant Secretary

FOR VALUE, Washington Title Insurance Company, a Washington corporation, does hereby guarantee the foregoing certificate of title, this guaranty being for the direct benefit of both the issuing company and the parties for whose use it is issued.

**WASHINGTON TITLE INSURANCE COMPANY**

*L. S. Booth* President  
*William C. Cresswell* Assistant Secretary

2

## **SCHEDULE A**

Being the legal description of the real estate covered by this certificate.

The following described parcels of real estate:

**IN THE COUNTY OF PIERCE, STATE OF WASHINGTON**

**All of Government Lot Four (4), in Section  
Twenty-seven (27), Township Twenty-one (21)  
North, Range Three (3) East of the Willamette  
Meridian; and**

**Portion of Government Lot One (1), Section  
Thirty-four (34), Township Twenty-one (21)  
North, Range Three (3) East of the Willamette  
Meridian, lying northeasterly of a line parallel  
to and 400 feet southwesterly of the southwesterly  
line of Alexander Avenue, as now laid out by  
the City of Tacoma.**

**SCHEDULE B**

Being all of the estates, interests, equities, lawful claims, or demands, defects, or objections whatsoever to title; and all easements, restrictions, liens, charges, taxes (general, special, or inheritance or assessments of whatever nature), or encumbrances; and all other matters whatsoever affecting said premises, or the estate, right, title or interest of the record owners, which now do exist of record; or which otherwise may be known actually to exist, but which may not be of record.

1. General taxes for the year 1943, on said premises and other property, in the original amount of \$56.72, the first half of which became delinquent June 1, 1943; the second half will become delinquent December 1, 1943, if then unpaid.
2. Any unpaid charges for installation of water service and for water, electric light, power or sewer service furnished to said premises by the City of Tacoma.
3. Pendency of action entitled United States of America vs. Tacoma Harbor Lumber Company, et al, in the United States District Court for the Western District of Washington, Southern Division, under Cause No. 467, for the appropriation of the within described lands and other property.
4. Provisions of Chapter 45 of the session laws of 1939, of the State of Washington, regulating use of said lands.

(End of Schedule B)

IN THE DISTRICT COURT OF THE UNITED STATES  
FOR THE WESTERN DISTRICT OF WASHINGTON  
SOUTHERN DIVISION

UNITED STATES OF AMERICA,

Petitioner,

vs.

16.2 Acres of Land in Pierce County,  
Washington, and Tacoma Harbor Lumber  
Company, et al.,

Respondents.

DOCKET NO. 457

JUDGMENT ON THE VERDICT  
AND ORDER DIRECTING CLERK  
TO PAY FUNDS ON DEPOSIT FOR  
PARCELS 12-A and 13-A.

(Filed Jan. 22, 1945)

This cause having come on for trial on January 11, 1945 before the undersigned Judge of the above entitled Court; the petitioner, United States of America being represented by Leo W. Stewart and Anthony L. Stella, Special Attorneys for the Department of Justice, and the respondent Tacoma Harbor Lumber Company, a corporation being represented by Teets & Teets, its attorneys of record; a jury having been duly empaneled and sworn to determine the amount of just compensation to be paid for the taking of the real property hereinafter described; witnesses having been sworn and testimony having been taken and the jury having returned its verdict on January 12, 1945 finding the amount of just compensation to be awarded for the taking of the real property hereinafter described as of June 18, 1943 to be the sum of Four Thousand One Hundred Twelve (\$4,112.00) Dollars for Parcel 12-A being a portion of the real property designated in said Amended Petition in Condemnation as Tract No. 2 and in the Declaration of Taking as Parcel No. 12; and the further sum of Ten Thousand Two Hundred Eight (\$10,208.00) Dollars including severance damage of Four Thousand (\$4,000.00) Dollars for the taking of Parcel 13-A being a portion of the real property designated in the Amended Petition in Condemnation as Tract No. 1 and in the Declaration of Taking as Parcel No. 13; making the total sum of Fourteen Thousand Three Hundred Twenty (\$14,320.00) Dollars; and it appearing to the Court that possession of said property was taken by the United States of America on December 11, 1943 under and by virtue of a Petition in Condemnation filed herein on December 5, 1943 whereby the petitioner,

1 United States of America, sought to condemn the temporary use of said  
2 property as set forth in said petition and an Order of Possession entered  
3 at the request of said petitioner authorizing the petitioner to take  
4 possession of said real property on December 11, 1942; and it further  
5 appearing to the Court that the United States of America has been in  
6 possession of said real property at all times since December 11, 1942  
7 and that on June 18, 1943 an Amended Petition in Condemnation was filed  
8 herein whereby the fee simple title to said real property was sought  
9 to be condemned and that thereafter on August 31, 1943, a Declaration  
10 of Taking was filed herein whereby title to said real property became  
11 vested in the United States of America and at the same time the sum of  
12 One Thousand Two Hundred Thirty-five (\$1,235.00) Dollars was deposited as  
13 estimated just compensation for Parcel 12-A and the further sum of Two  
14 Thousand Six Hundred Forty (\$2,640.00) Dollars was deposited as estimated  
15 just compensation for the taking of Parcel 12-A making the total sum of  
16 Three Thousand Eight Hundred seventy-five (\$3,875.00) Dollars deposited  
17 on account of the taking of said real property; and

18 It further appearing to the Court that the parties to this action  
19 have stipulated in open Court that the respondent, Tacoma Harbor Lumber  
20 Company, a corporation, is entitled to interest at the rate of 6% per  
21 annum from December 11, 1942 to June 18, 1943, on the value of the land  
22 taken exclusive of severance damage, to wit, the sum of Ten Thousand  
23 Three Hundred Twenty (\$10,320.00) Dollars and that said respondent is  
24 entitled to interest at the rate of 6% per annum from June 18, 1943 to  
25 August 31, 1943 on the total amount of said award, to wit, the sum of  
26 Fourteen Thousand Three Hundred Twenty (\$14,320.00) Dollars and said  
27 respondent is entitled to interest at the rate of 6% per annum from  
28 August 31, 1943 until payment into the registry of this Court of funds  
29 sufficient to satisfy this judgment, on the sum of Ten Thousand Four  
30 Hundred Forty-five (\$10,445.00) Dollars said sum being the amount by  
31 which the award exceeds the sum deposited in the registry of the Court  
32 on August 31, 1943 as estimate just compensation for the taking of said

real property; and the Court having found that the Tacoma Harbor Lumber Company, a corporation was the owner of the fee simple title to said Parcels 12-A and 12-B hereinafter described on August 31, 1943 when the title to said property was taken by the petitioner, United States of America; and that said respondent is the only party interested in the award of compensation for said property; and the Court being fully advised in the premises, now, therefore, it is hereby

ORDERED, ADJUDGED and DECREED that the verdict of the jury finding and adjudging the amount of just compensation to be awarded for the taking of the following described property:

PARCEL 12-A:

IN THE COUNTY OF PIERCE, STATE OF WASHINGTON

Portion of Lot Seven (7), "Ashton's Replat", below referred to, described as follows:

Beginning at the intersection of the northeasterly line of Alexander Avenue as now laid out by the City of Tacoma, and the southeasterly line of Block 9, "State Land Commissioner's Replat of Blocks 15 to 48, both inclusive, Tacoma Tidelands, formerly in King County, Washington," commonly referred to as "Ashton's Replat," thence on said line of Block 9 North 43°44'24" East 400 feet; thence parallel to said line of Avenue, South 47°15'35" East 280 feet; thence parallel to said line of Block 9 South 43°44'24" West 400 feet to said line of Avenue; thence North 47°15'35" West 280 feet to the place of beginning, being a portion of the real property designated in said Amended Petition in Condemnation as Tract No. 2 and in the Declaration of Takin as Parcel No. 12;

is the sum of Four Thousand One Hundred Twelve (\$4,112.00) Dollars and for

PARCEL 12-B:

IN THE COUNTY OF PIERCE, STATE OF WASHINGTON

That portion of Lot Seven (7), "State Land Commissioner's Replat of Blocks 15 to 48, both inclusive, Tacoma Tidelands, formerly in King County, Washington" commonly known as "Ashton's Replat" lying southeasterly of Alexander Avenue as now laid out by the City of Tacoma; also all of that portion of Lot Eight (8) in said subdivision lying northeasterly of a line parallel to and 400 feet southeasterly of the southeasterly line of said Alexander Avenue, also

All of Government Lot Four (4), in Section  
Twenty-seven (27), Township Twenty-one (21),  
North, Range Three (3) East of the Willamette  
Meridian; and

Portion of Government Lot One (1), Section  
Thirty-four (34), Township Twenty-one (21),  
North, Range Three (3) East of the Willamette  
Meridian, lying northeasterly of a line parallel  
to and 400 feet southeasterly of the southeasterly  
line of Alexander Avenue, as now laid out by the  
City of Tacoma being a portion of the real property  
designated in the Amended Petition in Condemnation  
as Tract No. 1 and in the Declaration of Taking as  
Parcel No. 13;

is Six Thousand Two Hundred Eight (\$6,208.00) Dollars for the land taken  
plus Four Thousand (\$4,000.00) Dollars severance damage making the total  
sum of Ten Thousand Two Hundred Eight (\$10,208.00) Dollars for Parcel  
13-A and making the total sum of Fourteen Thousand Three Hundred Twenty  
(\$14,320.00) Dollars for the taking of said real property for which  
sum judgment is hereby entered against the United States of America;  
and it is further

ORDERED, ADJUDGED and DECREED that said sum of Fourteen Thousand  
Three Hundred Twenty (\$14,320.00) Dollars is just compensation for the  
taking of said real property above described and constitutes the total  
amount of damages including the full and fair value of said property  
appropriated including its temporary use prior to the taking of the fee  
simple title, resulting to the party interested therein by reason of said  
taking and appropriation by the United States of America of said real  
property; and it is further

ORDERED, ADJUDGED and DECREED that the only person or party having  
an interest in the compensation to be paid for the real property above  
described is the respondent Tacoma Harbor Lumber Company, a corporation,  
and the Clerk of the above entitled Court is hereby directed to pay the  
sum of Three Thousand Eight Hundred Seventy-five (\$3,875.00) Dollars now  
on deposit in the registry of this Court on account of Parcels 13-A and  
13-B as follows:

To Tacoma Harbor Lumber Company

\$3,875.00

1 it is further

2 ORDERED, ADJUDGED and DECREED that the respondent Eastern Harbor  
3 Lumber Company have and recover as a deficiency judgment against the  
4 United States of America the sum of Ten Thousand Four Hundred Forty-five  
5 (\$10,445.00) Dollars together with interest at the rate of 6% per annum  
6 from December 11, 1942 to June 12, 1943 on the sum of Ten Thousand Three  
7 Hundred Twenty (\$10,320.00) Dollars (said sum being the amount of award  
8 herein exclusive of severance damage); and interest at the rate of 6%  
9 per annum from June 12, 1943 until August 31, 1943 on the sum of Fourteen  
10 Thousand Three Hundred Twenty (\$14,320.00) Dollars (which sum is the total  
11 amount of the award); and interest at the rate of 6% per annum from  
12 August 31, 1943 until the deposit in the registry of this Court of funds  
13 sufficient to satisfy said judgment, on the sum of Ten Thousand Four  
14 Hundred Forty-five (\$10,445.00) Dollars (which sum is the amount of the  
15 deficiency judgment herein), and it is further

16 ORDERED, ADJUDGED and DECREED that payment of the sum of Three  
17 Thousand Eight Hundred Seventy-five (\$3,375.00) Dollars now on deposit  
18 in the registry of this Court together with payment of the further sum  
19 of Ten Thousand Four Hundred Forty-five (\$10,445.00) Dollars together  
20 with interest at 6% per annum on the sum of Ten Thousand Three Hundred  
21 Twenty (\$10,320.00) Dollars from December 11, 1942 until June 12, 1943  
22 and on the sum of Fourteen Thousand Three Hundred Twenty (\$14,320.00)  
23 Dollars from June 12, 1943 to August 31, 1943 and on the sum of Ten  
24 Thousand Four Hundred Forty-five (\$10,445.00) Dollars <sup>Dollars</sup> from August 31, 1943 until  
25 payment into the registry of the Court of funds necessary to satisfy  
26 said judgment shall constitute full settlement of all claims against the  
27 United States of America and the final award of just compensation for the  
28 taking of the fee simple title to the real property hereinabove described  
29 and the temporary use thereof prior to the taking of said fee simple  
30 title by the petitioner United States of America; and it is further

31 ORDERED, ADJUDGED and DECREED that title to the above described land  
32 is vested in the United States of America free and clear of any and all



charges, interest, claims, taxes, liens and encumbrances of any kind or character whatsoever.

The petitioner, United States of America, excepts to the entry of the foregoing judgment and said exception is allowed.

DONE IN OPEN COURT this 20 day of January, 1946.

CHARLES H. LEAVY  
United States District Judge

Presented by:

John F. Smith  
Attorney for respondent

Approved as to form:

Henry L. Kyle  
Special Attorney  
Department of Justice

ADDRESS REPLY TO  
"THE ATTORNEY GENERAL"  
AND REFER TO  
DETAILS AND NUMBER

DEPARTMENT OF JUSTICE  
WASHINGTON 25, D. C.

ENT-REM

33-49-405-2

April 23, 1945

Mr. John J. Courtney  
Head, Real Estate Division  
Bureau of Yards and Docks  
Department of the Navy  
Washington, D. C.

Dear Mr. Courtney:

The Solicitor General has determined that no appeal shall be taken from the judgment heretofore rendered for Parcels 12-A and 13-A acquired in the proceeding entitled United States v. 16.2 acres of land in Pierce County, Washington, and Tacoma Harbor Lumber Company, et al., Docket No. 467, for the extension of the facilities of the Seattle-Tacoma Shipbuilding Corporation.

Respectfully,  
For the Attorney General

*J. Edward Williams*

J. EDWARD WILLIAMS  
Acting Head, Lands Division

No. <u>C49-72-TA-3</u>
Prosec.
File



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Q5.

IN THE DISTRICT COURT OF THE UNITED STATES  
FOR THE WESTERN DISTRICT OF WASHINGTON  
SOUTHERN DIVISION

UNITED STATES OF AMERICA,

Petitioner,

v.

16.2 Acres of Land in Pierce  
County, Washington, and  
TACOMA HARBOR LUMBER COMPANY,  
a corporation, et al.,

Respondents.

DOCKET No. 467

FINAL JUDGMENT AND ORDER  
DIRECTING CLERK TO PAY  
DEFICIENCY JUDGMENT TOGETHER  
WITH INTEREST ON PARCELS  
12-A and 13-A

(Filed June , 1945)

This matter coming on regularly for hearing this day, and it appearing to the Court that on the 20th day of January, 1945 a judgment was entered herein against the United States of America in favor of Tacoma Harbor Lumber Company, a corporation, for a deficiency in the sum of \$10,445.00 together with interest as set forth in said judgment on account of the taking by the United States of America of Parcels 12-A and 13-A therein described; and it further appearing to the Court that on the 2nd day of June, 1945 the sum of \$12,035.51 was deposited by the United States of America on account of said judgment, and the Court being fully advised in the premises; now, therefore, it is hereby

ORDERED, ADJUDGED and DECREED that the Clerk of this Court be, and he is hereby authorized and directed to pay said sum as follows:

To Tacoma Harbor Lumber Company,  
a corporation ..... \$12,035.51,

and it is further

ORDERED, ADJUDGED and DECREED that payment of said sum of \$12,035.51 shall constitute full settlement of all claims against the United States of America for the taking of the real property known as Parcels 12-A and 13-A described in said judgment of January 20, 1945; and it is further

ORDERED, ADJUDGED and DECREED that title to said property

1 is vested in the United States of America free and clear of any  
2 and all charges, interest, claims, taxes, liens and encumbrances  
3 of any kind or character whatsoever.

4 DONE IN OPEN COURT this 4th day of June, 1945.

5  
6 CHARLES H. LEAVY  
7 United States District Judge

8  
9 Presented by:

10 ANTHONY L. STELLA  
11 Special Attorney  
12 Department of Justice  
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I hereby certify that the  
annexed instrument is a true  
and correct copy of the original  
on file in my office.

ATTEST: MILLARD P. THOMAS

Clerk, U. S. District Court  
Western District of Washington

By Clara Birehman  
Deputy Clerk



TAB 8-55

EXECUTIVE OFFICE OF THE SECRETARY  
AND REFER TO INITIALS  
AND NO.

NAVY DEPARTMENT  
WASHINGTON

ND11/ND11  
F-2-3/NAO:lm  
C19-72-Tn-4

NO 1112  
32164

July 26, 1943

The Honorable  
The Attorney General

SIR:

In accordance with the request of the Acting Secretary of the Navy dated March 3, 1943, there was instituted pursuant to the Acts of Congress approved March 27, 1942 (Public Law 507, 77th Congress), February 6, 1942 (Public Law 440, 77th Congress), and February 7, 1942 (Public Law 441, 77th Congress), the condemnation proceeding entitled United States v. 16 acres of land in Pierce County, Washington; Annie Jones, et al., Civil 494, to acquire lands for the expansion of the Seattle-Tacoma Shipbuilding facilities.

The property has been appraised to determine its fair market value and in order that estimated just compensation may be made available immediately to the owners or others having compensable interests therein, the enclosed Declaration of Taking has been prepared pursuant to the authority of the Act of Congress approved February 26, 1931 (46 Stat. 1421) and is forwarded herewith with the request that it be filed in the cause.

A check in the amount of the estimated just compensation for the lands described in the enclosed Declaration of Taking is submitted herewith to be deposited with the Clerk of the Court for the benefit and use of the persons entitled thereto.

Very truly yours,

James Forrestal  
Acting

- Encls.  
1. Declaration  
2. Schedule  
3. Map

*Just previously  
ordered*

cc: Gen 13 Lt. Bergman BuShips Lt. Muir



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IN THE DISTRICT COURT OF THE UNITED STATES  
FOR THE WESTERN DISTRICT OF WASHINGTON  
SOUTHERN DIVISION

United States of America,

Petitioner,

v.

Civil No. 494

16 acres of land in Pierce  
County, Washington; Annie  
Jones, et al.,

Defendants

DECLARATION OF TAKING

WHEREAS, pursuant to the Acts of Congress approved March 27, 1942 (Public Law 507, 77th Congress) and February 6, 1942 (Public Law 440, 77th Congress) and February 7, 1942 (Public Law 441, 77th Congress), the above styled condemnation proceeding has been instituted,

NOW, THEREFORE, pursuant to the provisions of the Act of Congress approved February 26, 1931 (46 Stat. 1421), I, Acting Secretary of the Navy, acting for and in behalf of the Secretary of the Navy, do hereby make and cause to be filed this Declaration of Taking, and by virtue of authority thereof do hereby state that the lands selected for acquisition are shown as Parcel 15 on the map entitled "U. S. Navy Seattle & Tacoma Shipyard Site," dated June, 1943, attached hereto as Exhibit "A". The lands selected for acquisition aggregate sixteen (16) acres more or less, in Pierce County, Washington, and are more particularly described as follows:

Parcel 15: Commencing at a point of intersection of the extensions of the southeasterly line of East Eleventh Street and the southwesterly line of Alexander Avenue, as now laid out and established; thence southeasterly along said southwesterly line of Alexander Avenue, as extended, a distance of one thousand feet to a point, said point being the true point of beginning; thence continuing southeasterly along said southwesterly line of Alexander Avenue a distance of one thousand forty feet to a point;

thence northwesterly parallel to the southwest  
erly line of East Eleventh Street a distance of  
six hundred seventy feet to a point; thence  
northwesterly parallel to the southwesterly line  
of Alexander Avenue a distance of one thousand  
forty feet to a point; thence northeasterly  
parallel to the southwesterly line of East  
Eleventh Street a distance of six hundred seventy  
feet to the point of beginning, said tract being  
situated in the west one half of Section 35,  
Township 21 North, Range 3 East, W.M., and con-  
taining 16 acres, more or less, Pierce County,  
Washington.

And I do declare the lands to be taken under authority  
of the aforesaid Acts of Congress; that the use to which the  
lands are to be put is the expansion of the Seattle-Tacoma Ship-  
building Facilities; and that the estate hereby taken in said  
lands for the public use aforesaid is in fee simple, subject,  
however, to existing public utility easements.

And I do hereby state that the sum of money estimated by  
me to be just compensation for all of said lands, improvements  
thereon, and appurtenances thereunto belonging is Four Thousand  
Forty-two Dollars (\$4,042.00), which is hereby deposited into  
the registry of the court for the use and benefit of the persons  
entitled thereto. The amounts of just compensation for said  
lands which are hereby taken are shown on Schedule "A".

I am of the opinion that the ultimate award for the Tak-  
ing of said lands will be within the limits prescribed by Congress.

IN WITNESS WHEREOF, the Petitioner, by and through the  
Acting Secretary of the Navy, acting for and in behalf of the  
Secretary of the Navy, has caused this Declaration of Taking to  
be signed and the seal of the Navy Department to be affixed  
hereto in the City of Washington, District of Columbia, this  
26th day of July, 1943.

UNITED STATES OF AMERICA

(SEAL)

By James Forrestal  
Acting Secretary of the Navy

# SCHEDULE "A"

The names of the persons having title to or other interests in the lands described in the within Declaration of Taking, and the amounts estimated to be just compensation for each respective ownership are as follows:

Parcel	Names	Acres	Compensation
15A	Port of Tacoma	6.17	\$ 1,542.00
15B	Kanasket Lumber Co.	9.82	2,500.00
Totals		16.08	\$ 4,042.00



IN THE DISTRICT COURT OF THE UNITED STATES  
FOR THE WESTERN DISTRICT OF WASHINGTON  
SOUTHERN DIVISION

UNITED STATES OF AMERICA,  
Petitioner,

-vs-

16.0 Acres of Land in Pierce  
County, State of Washington,  
and ANNIE JONES and JOHN DOE  
JONES, wife and husband;  
KANASKET LUMBER & SHINGLE  
COMPANY, a corporation;  
PORT OF TACOMA, a municipal  
corporation;  
COUNTY OF PIERCE, a municipal  
corporation;  
CITY OF TACOMA, a municipal  
corporation;  
STATE OF WASHINGTON, a sovereign  
corporation;

Also, all other persons or parties  
unknown claiming any right, title,  
estate, lien or interest in the  
real estate described herein, or  
any portion thereof,

Respondents.

DOCKET NO. 494

PETITION IN  
CONDEMNATION

Now comes the United States of America by F. P. Keenan,  
Special Assistant to the Attorney General of the United States  
of America, and John W. Fishburne and Oliver Malm, Special  
Attorneys for the Department of Justice, at the direction  
and under the authority of the Attorney General of the  
United States pursuant to the request of the Secretary of  
the Navy of the United States of America, and represents  
unto the Court as follows:

I.

This proceeding is instituted under and in accordance  
with the Act of Congress approved March 27, 1942 (Public  
Law 507 - 77th Congress), which act authorizes the acqui-  
sition of land for military or other war purposes, the Act of  
February 6, 1942 (Public Law 440 - 77th Congress) and the  
Act of February 7, 1942 (Public Law 441 - 77th Congress),  
which Acts appropriated funds for such purposes.

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II.

That a state of war at the date of the institution of this proceeding existed and still exists between the United States of America and the Kingdom of Japan, the Kingdom of Germany and the Kingdom of Italy.

III.

That the Secretary of the Navy of the United States of America, acting under the authority vested in him by said Acts of Congress, has determined that in his opinion it is necessary and advantageous to acquire for the United States of America by condemnation under judicial process certain land hereinafter to be described, for war purposes, to-wit, to provide for the expansion of the Seattle-Tacoma Shipbuilding Corporation facilities, Tacoma, Washington.

IV.

That the Secretary of the Navy of the United States of America has further determined that immediate possession of the property hereinafter described is necessary to aid in the successful prosecution of the war between the United States of America and Japan, Germany and Italy.

V.

The land sought to be condemned and taken aggregates 16.0 acres, more or less, situate in the County of Pierce, State of Washington, being the area to be utilized for the expansion of the Seattle-Tacoma Shipbuilding Corporation facilities, Tacoma, Washington, and more particularly described as follows:

Commencing at a point of intersection of the extensions of the southeasterly line of East Eleventh Street and the southwesterly line of Alexander Avenue, as now laid out and established; thence southeasterly along said southwesterly line of Alexander Avenue, as extended, a distance of one thousand feet (1,000) to a point, said point being the true point of beginning, thence continuing southeasterly along said southwesterly line of Alexander Avenue a distance of one thousand forty (1,040) feet to a point; thence southwesterly

parallel to the southwesterly line of East Eleventh Street a distance of six hundred seventy (670) feet to a point; thence northwesterly parallel to the southwesterly line of Alexander Avenue a distance of one thousand forty (1,040) feet to a point; thence northeasterly parallel to the southwesterly line of East Eleventh Street a distance of six hundred seventy (670) feet to the point of beginning, said tract being situated in the west one half of section 55, Township 21 North, Range 3 East, Willamette Meridian, and containing 16.0 acres, more or less.

VI.

The estate sought to be condemned in said land for the public use aforesaid is the fee simple in and to said lands, [subject to existing public utility easements.]

VII.

That this petition has made all persons, as far as ascertained, parties to these proceedings but petitioner also makes parties hereto all persons and corporations unknown owning or claiming to have any right, title, interest or estate in, or lien, encumbrance, servitude, easement, charge, demand, claim or covenant on or in respect to the property hereinbefore described.

VIII.

That the Secretary of the Navy of the United States has made application to the Attorney General of the United States to cause the necessary proceedings to be instituted to acquire for the United States of America the fee simple to the land as set forth heretofore.

IX.

That the petitioner has done and performed every act and thing required by law to be done by said petitioner as a condition precedent to the beginning and maintaining of this action; that the object for which this proceeding is brought is for the purpose of ascertaining the just compensation for the taking of the property described in this petition.

WHEREFORE, the petitioner prays that the purpose of this condemnation be adjudicated to be a public use; that a jury be empaneled to fix and determine a just and proper award and compensation for the taking and use of the property herein described, or in case a jury be waived then that the compensation to be made as aforesaid be ascertained and determined by the Court or a Judge thereof; that the Court determine the parties entitled to the sum awarded as just compensation for the taking of said land, and upon payment to or into the registry of the Court for the use of the parties entitled, of the sum adjudged to be just compensation for the land condemned, to adjudge and decree that the title to said land is vested in the United States in fee simple, subject to existing public utility easements; that possession of said property herein be given to the petitioner immediately, and that the Court grant such other and further relief as may be lawful and proper.

F. P. KEENAN  
Special Assistant to the  
Attorney General

JOHN W. FISHBURNE  
Special Attorney for the  
Department of Justice

OLIVER MALM  
Special Attorney for the  
Department of Justice

UNITED STATES OF AMERICA  
WESTERN DISTRICT OF WASHINGTON } ss.  
SOUTHERN DIVISION

JOHN W. FISHBURNE, being first duly sworn, on oath deposes and says: that he is a Special Attorney for the Department of Justice, and as such makes this verification for and on behalf of the United States, petitioner herein; that he has read the foregoing petition, knows the contents thereof, and the same is true of his own knowledge except as to matters which are therein stated on his information and belief; the source of affiant's information and the grounds for his belief are the official communications, records, files and documents received from the Attorney General of the United States and from the Secretary of the Navy of the United States, and as to those matters he believes the foregoing petition to be true.

JOHN W. FISHBURNE  
Special Attorney for the  
Department of Justice

SUBSCRIBED and SWORN to before me this 5<sup>th</sup> day of March,  
1943.

E. R. Lawrence  
Deputy Clerk, United States  
District Court for the Western  
District of Washington.

The foregoing is a full, true and correct copy of  
the within instrument  
WITNESS my hand and office seal this 5<sup>th</sup> day

March 1943  
JURSON W. SHORRETT, Clerk  
By Charles J. [Signature] DEPUTY

IN THE DISTRICT COURT OF THE UNITED STATES  
FOR THE WESTERN DISTRICT OF WASHINGTON  
SOUTHERN DIVISION

UNITED STATES OF AMERICA,  
Petitioner,

DOCKET NO. 498

ORDER OF  
POSSESSION.

-VS-

16.0 Acres of Land in Pierce  
County, State of Washington,  
and ANNIE JONES and JOHN DOE  
JONES, wife and husband;  
KANASKET LUMBER & SHINGLE  
COMPANY, a corporation;  
PORT OF TACOMA, a municipal  
corporation;  
COUNTY OF PIERCE, a municipal  
corporation;  
CITY OF TACOMA, a municipal  
corporation;  
STATE OF WASHINGTON, a sovereign  
corporation;

Also, all other persons or parties  
unknown claiming any right, title,  
estate, lien or interest in the  
real estate described herein, or  
any portion thereof,

Respondents.

-----  
This cause coming on regularly for hearing in open  
Court this 5 day of March, 1945, on the motion of the  
petitioner, United States of America, for possession of the  
premises described in the petition, the petitioner, United  
States of America, being represented by F. P. Keenan, Spe-  
cial Assistant to the Attorney General, and John W. Fickburne  
and Oliver Malm, Special Attorneys for the Department of  
Justice; testimony having been introduced by the petitioner  
and the Court finding as a fact that possession of the  
premises described is being acquired for military purposes  
and that it is necessary and advantageous to acquire the  
same to aid in the successful prosecution of the war be-  
tween the United States of America and Japan, Germany and  
Italy, now, therefore, it is hereby

ORDERED, ADJUDGED and DECREED that the petitioner,  
United States of America, have possession on the 5 day

of March, 1943 of the following described property; subject to existing public utility easements.

Commencing at a point of intersection of the extensions of the southeasterly line of East Eleventh Street and the southwesterly line of Alexander Avenue, as now laid out and established; thence southeasterly along said southwesterly line of Alexander Avenue, as extended, a distance of one thousand feet to a point, said point being the true point of beginning, thence continuing southeasterly along said southwesterly line of Alexander Avenue a distance of one thousand forty feet (1,040) feet to a point; thence southwesterly parallel to the southwesterly line of East Eleventh Street a distance of six hundred seventy (670) feet to a point; thence northwesterly parallel to the southwesterly line of Alexander Avenue a distance of one thousand forty (1,040) feet to a point; thence northeasterly parallel to the southwesterly line of East Eleventh Street a distance of six hundred seventy (670) feet to the point of beginning, said tract being situated in the west one half of section 35, Township 21 North, Range 3 East, Willamette Meridian, and containing 18.0 acres, more or less.

It is further ORDERED, ADJUDGED and DECREED that service of a copy of this Order of Possession and a copy of the Petition in Condemnation shall be sufficient notice to vacate to all persons being in possession of, or having an interest in the property described in this Order; and the Marshal is hereby directed to immediately serve a copy of this Order of Possession and a copy of the Petition in Condemnation on all persons named as parties respondent in this cause, and on all persons who are in possession of said premises at the time of said service, and to deliver immediate possession to the United States of America in or to its duly qualified and acting agents.

DONE IN OPEN COURT this 5 day of March, 1943.

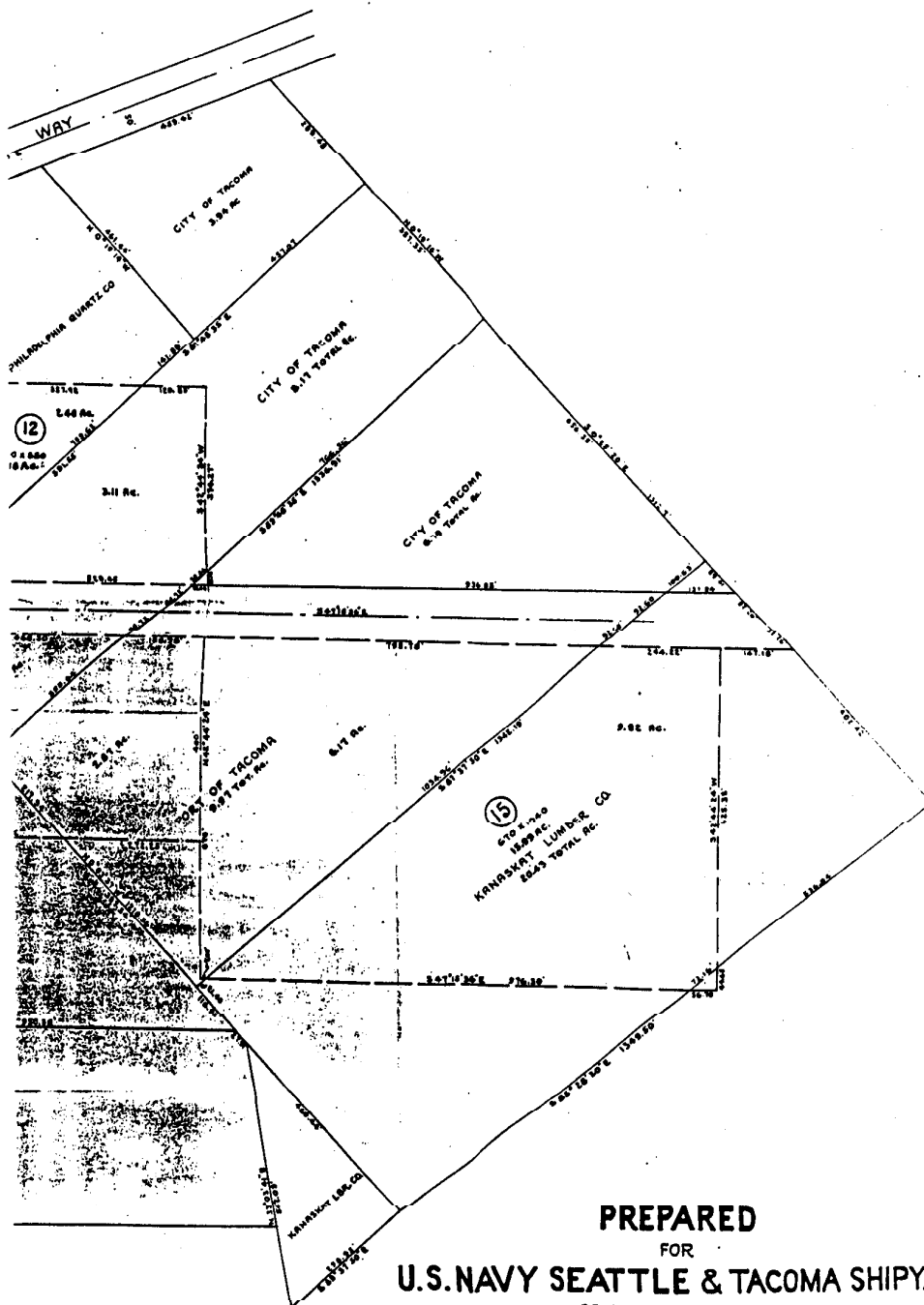
CHARLES H. LEAVY  
United States District Judge

Presented by:

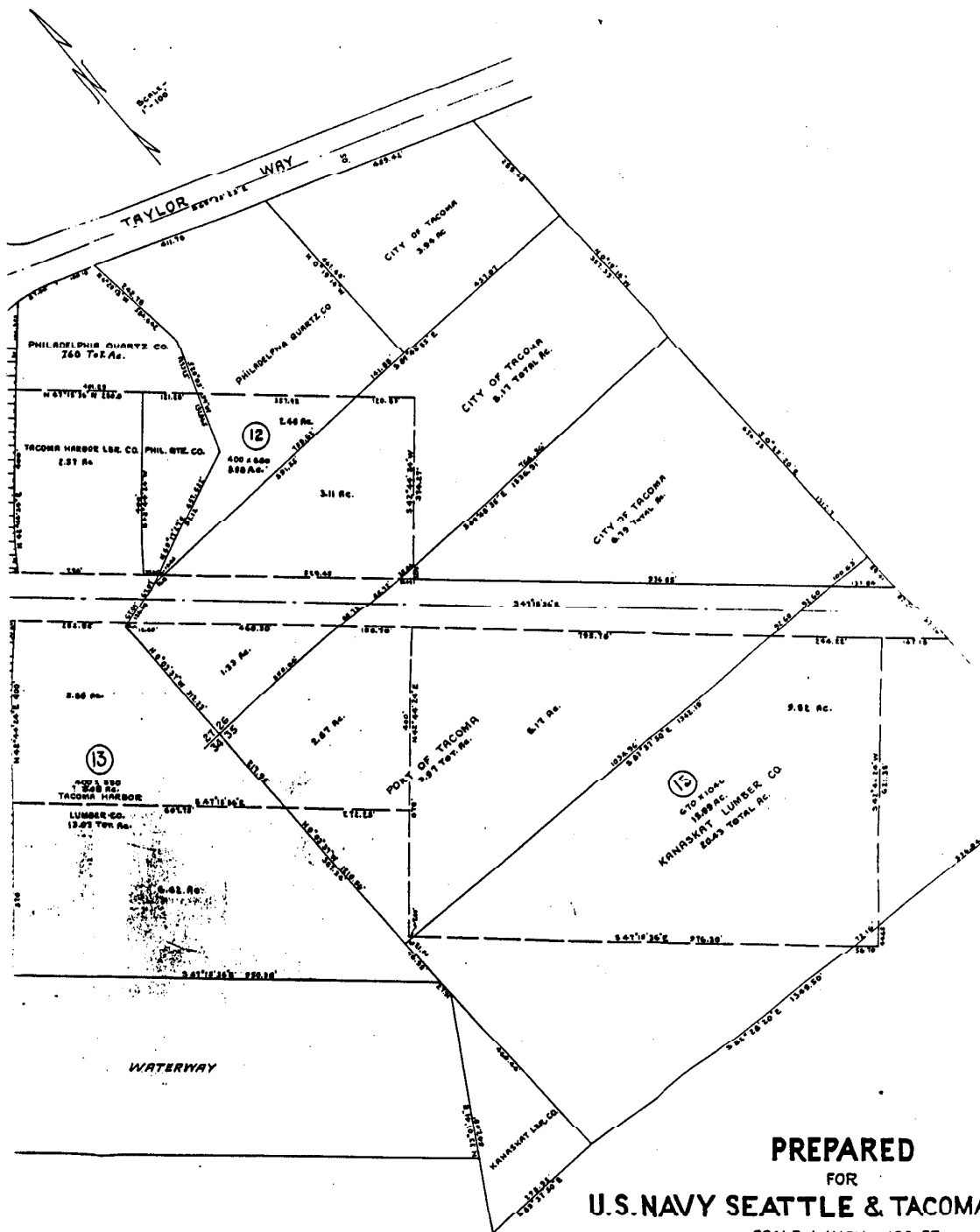
1943 MAR 5 10 23  
JOHN W. FISCHBERG  
Special Attorney for the  
Department of Justice

The foregoing is a full, true and correct copy of the within instrument of Order of Possession and this 5 day

WITNESSED by Arch 73  
of March  
By Chas. H. Leavy DEPUTY

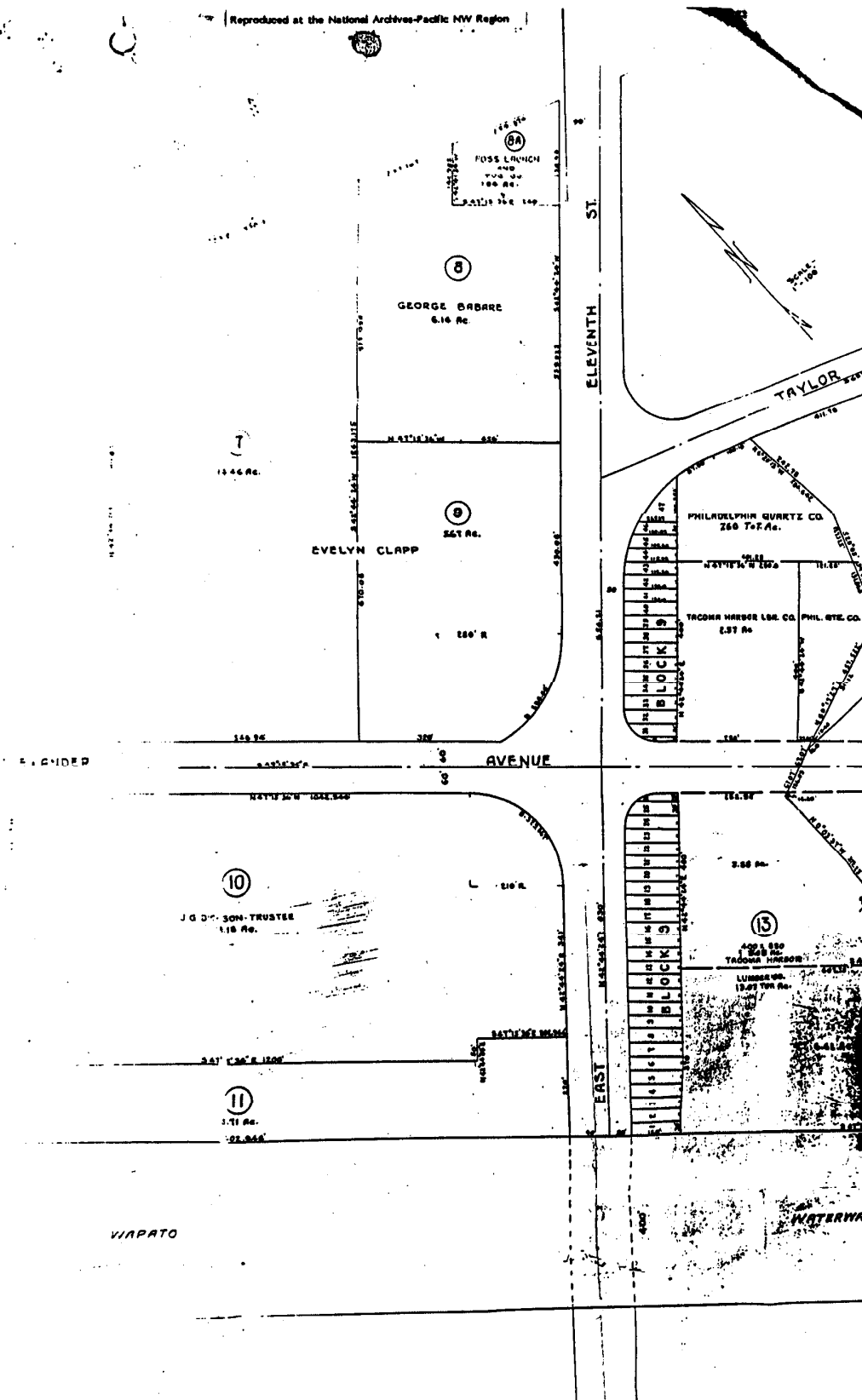






**PREPARED**  
FOR  
**U.S. NAVY SEATTLE & TACOMA**  
SCALE 1 INCH = 100 FT.

SURVEYED BY *L. R. McNamee*  
*L. R. McNamee*  
REGISTERED CIVIL ENGINEER  
TACOMA, WASH. JUNE 1963



ADDRESSES REPLY TO  
THE ATTORNEY GENERAL  
AND REFER TO  
DETAILS AND NUMBER

DEPARTMENT OF JUSTICE

WASHINGTON, D. C. (25)

September 21, 1943

R.H. - HA

33-49-405-4

7813/NT-13  
F-5

Chief, Bureau of Yards and Docks  
Real Estate Division  
Department of the Navy  
Washington, D. C.

Dear Sir:

Reference - United States v. 16 Acres of Land in Pierce  
County, Washington, and Annie Jones, et al., No. 494, Seattle-Tacoma  
Shipbuilding Company facilities.

Enclosed herewith for your files you will find a certified  
copy of the judgment on the declaration of taking entered in this  
proceeding on August 31, 1943, together with a receipt of the clerk  
of court for the sum of \$4,042.00 deposited as estimated just com-  
pensation.

A valid title to the land and estate described in the  
judgment on the declaration of taking vested in the United States  
of America on August 31, 1943.

Respectfully,  
For the Attorney General

  
EDWARD WILLIAMS  
Acting Head, Lands Division

Enclosure  
No. 824685

FOR DEFENSE



PUT

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IN THE DISTRICT COURT OF THE UNITED STATES  
FOR THE WESTERN DISTRICT OF WASHINGTON  
SOUTHERN DIVISION

UNITED STATES OF AMERICA,  
Petitioner

v.  
16.0 Acres of Land in Pierce County,  
State of Washington, and Annie Jones,  
et al.,

Respondents

INITIAL PARTIAL  
T R A N S C R I P T

NO. 494

Parcel           

33-49-405-4

IN THE DISTRICT COURT OF THE UNITED STATES  
FOR THE WESTERN DISTRICT OF WASHINGTON  
SOUTHERN DIVISION

UNITED STATES OF AMERICA,  
Petitioner,

DOCKET NO. 494

v.

JUDGMENT ON THE  
DECLARATION OF TAKING

16 Acres of Land, More or  
Less, in Pierce County, Wash-  
ington, and  
ANNIE JONES and JOHN DOE JONES,  
wife and husband;  
KANASKET LUMBER & SHINGLE  
COMPANY, a corporation;  
PORT OF TACOMA, a municipal  
corporation;  
COUNTY OF PIERCE, a municipal  
corporation;  
CITY OF TACOMA, a municipal  
corporation;  
STATE OF WASHINGTON, a sovereign  
corporation;

(filed August 3/, '43)

Also all other persons or parties  
unknown claiming any right, title,  
estate, lien or interest in the  
real estate described herein, or  
any portion thereof.

Respondents.

This day comes the petitioner, the United States of  
America, by F. P. Keenan, Special Assistant to the Attorney  
General, and Oliver Malm and John W. Fishburne, Special Attor-  
neys for the Department of Justice, and moves the Court to  
enter a judgment vesting title in the United States of America  
in and to the property, together with all improvements thereon  
and appurtenances thereunto belonging, hereinafter more parti-  
cularly described.

It appearing to the Court that there is on file in this  
cause a Petition in condemnation instituted under and in ac-  
cordance with the Act of Congress approved March 27, 1942  
(Public Law 505, 77th Congress), February 8, 1942 (Public Law  
440, 77th Congress) and February 7, 1942 (Public Law 441, 77th  
Congress).

It further appearing to the Court that an order of posses-

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sion was filed and entered in this cause on the 5th day of March, 1943 granting possession on the 5th day of March, 1943 to the United States of America of 16 acres of land, more or less, being more particularly described in said Order of Possession and that a Declaration of Taking having been filed herein and the Court being fully advised in the premises, finds as follows:

**FIRST:** That the United States of America is entitled to acquire property by eminent domain under the provisions of the Acts of Congress approved March 27, 1942 (Public Law 507, 77th Congress), February 6, 1942 (Public Law 440, 77th Congress) and February 7, 1942 (Public Law 441, 77th Congress), and also under the further provision of the Act of Congress approved February 26, 1931 (46 Stat. 1421).

**SECOND:** That a petition for condemnation was filed at the request of the Acting Secretary of the Navy, the authority empowered by law to acquire the lands described in said petition, and also under authority of the Attorney General of the United States;

**THIRD:** That in said petition and declaration of taking a statement of the authority under which and the public use for which said lands are taken is set out, and that James Ferrestal, Acting Secretary of the Navy, is the person duly authorized and empowered by law to acquire lands such as are described in the petition for the purposes aforesaid, and that the Attorney General of the United States is the person authorized by law to direct the institution of such condemnation proceedings;

**FOURTH:** That a proper description of the lands sought to be taken, sufficient for the identification thereof, is set out in said declaration of taking;

**FIFTH:** A statement of the estate or interest in said

lands taken for said public use is set out in said declaration of taking;

SIXTH: A plan showing the lands taken is annexed to and incorporated in said declaration of taking;

SEVENTH: A statement of the sum of money estimated by said acquiring authority to be just compensation for the lands taken, to-wit: the sum of Four Thousand Forty-two (\$4,042.00) Dollars, is set out in said declaration of taking, and said sum has been deposited in the registry of this Court;

EIGHTH: That there is a statement in said declaration of taking that the estimated ultimate award of damages for the taking of said property, in the opinion of the Acting Secretary of the Navy, probably will be within any limits prescribed by law to be paid as a price therefor.

And the Court having fully considered said petition in condemnation and the declaration of taking, and the statutes in such case made and provided, is of the opinion that the United States of America is entitled to take said property and have the title thereto vested in it pursuant to the Act of Congress approved February 26, 1931, (46 Stat. 1421). It is therefore considered by the Court, and it is the order, judgment and decree of the Court that title to the following described lands in fee simple absolute, subject, however, to existing public utility easements, be and the same hereby is vested in the United States of America, and said lands are deemed to be condemned and taken and are condemned and taken for the use of the United States of America, and the right to just compensation shall vest in the persons entitled thereto as of the time of the filing of the declaration of taking herein simultaneously with the passage of title to the petitioner, the United States of America, and when said compensation shall be determined herein it shall be awarded in this proceeding to the persons entitled thereto and established by judgment

pursuant to law.

The land so condemned and taken aggregates 16 acres of land, more or less, situate and being in the County of Pierce, State of Washington, and more particularly described as follows:

PARCEL 15:

Commencing at a point of intersection of the extensions of the southeasterly line of East Eleventh Street and the southwesterly line of Alexander Avenue, as now laid out and established; thence southeasterly along said southwesterly line of Alexander Avenue, as extended, a distance of one thousand feet to a point, said point being the true point of beginning; thence continuing southeasterly along said southwesterly line of Alexander Avenue a distance of one thousand forty feet to a point; thence southwesterly parallel to the southwesterly line of East Eleventh Street a distance of six hundred seventy feet to a point; thence northwesterly parallel to the southwesterly line of Alexander Avenue a distance of one thousand forty feet to a point; thence northeasterly parallel to the southwesterly line of East Eleventh Street a distance of six hundred seventy feet to the point of beginning, said tract being situated in the west one half of Section 38, Township 21 North, Range 3 East, W. N., and containing 16 acres, more or less, Pierce County, Washington.

SUBJECT, however, to existing public utility easements, and it is further

ORDERED that the return date in the above-entitled cause is hereby fixed as Monday, the 14th day of October, 1943, at 1:45 P.M.

DONE IN OPEN COURT this 31st day of August, 1943.

CHARLES R. LEAVY  
United States District Judge

Presented by:

CLIVER NALM  
Special Attorney  
Department of Justice

The foregoing is a full, true and correct copy of the within instrument Filed on Aug. 31, 1943  
WITNESS my hand and official seal this 31 day of August, 1943.  
JUDSON W. SHOOK, Clerk  
By Cliver Nalm DEPUTY

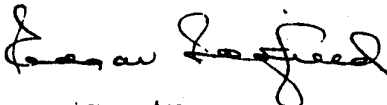


August 31, 1943

I, JUDSON W. SHORETT, Clerk of the United States District Court for the Western District of Washington, do hereby certify that I have this 31st day of August, 1943 received from Oliver Malm, Special Attorney for the Department of Justice, Treasury Check No. 276,991 in the sum of Four Thousand (\$4,000.00) Dollars, part of the estimated award in the condemnation proceedings for acquisition of fee simple title, subject, however, to existing public utility easements, to land in Pierce County, Washington, Cause No. 494, United States v. 16 acres of land in Pierce County, Washington, and Annie Jones, et al., Respondents., the complete estimated award being Four Thousand Forty-two (\$4,042.00) Dollars.

IN WITNESS WHEREOF, I have hereto set my hand and affixed the official seal of said Court at Tacoma, Washington, this 31st day of August, 1943.

JUDSON W. SHORETT, Clerk

By   
Deputy

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Office of the Attorney General

Washington, D.C.

February 21, 1944

71 B 13 / N1-13  
F-5  
M + D  
FEB 24 8 06 AM '44

Honorable Frank Knox  
Secretary of the Navy  
Washington, D. C.

My dear Mr. Secretary:

I have examined the transcript of record and the enclosed preliminary, supplemental and final title certificate and copy of final judgment entered January 3, 1944, with respect to Parcel 15-A in the condemnation proceeding entitled United States v. 16 acres in Pierce County, Washington, and Annie Jones, et al., No. 494, in the District Court of the United States for the Western District of Washington, Southern Division, instituted in accordance with the request of your Department to acquire certain land for the expansion of Seattle-Tacoma Shipbuilding Company Facilities.

Subsequent to the filing of the declaration of taking, the court entered judgment determining that \$2,000.00 was the just compensation for the taking of this parcel. The sum of \$1,542.00 was deposited in the registry of the court at the time of the filing of the declaration of taking. There is enclosed herewith receipt of the clerk of the court for \$458.00, amount of the deficiency deposit.

From my examination of the above papers and those previously forwarded to your Department, I am of the opinion that the condemnation proceeding has been regularly conducted and brought to a satisfactory conclusion with respect to Parcel No. 15-A. A valid title to the land, more particularly described in the final judgment, is now vested in the United States of America.

Respectfully,

Docket Entd. C49-72-TA-4

C49-72-TA-4	
SEARCHED	558416
SERIALIZED	PAQ
FEB 24 1944	

Francis Biddle  
Attorney General

December 23, 1943

I, JUDSON W. SHORETT, Clerk of the United States District Court for the Western District of Washington do hereby certify that there was deposited in the registry of this Court on December 23, 1943, the sum of \$458.00, same being deficiency judgment in favor of Port of Tacoma, for Parcel No. 15-A, Cause No. 494, United States of America, Petitioner vs. 16 Acres of Land in Pierce County Washington Annie Jones, et al., respondents.

WITNESS my hand and official seal at Tacoma, Washington, this 23rd day of December, 1943.

JUDSON W. SHORETT, Clerk

By L. J. [Signature]  
Deputy Clerk

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encl

IN THE DISTRICT COURT OF THE UNITED STATES  
FOR THE WESTERN DISTRICT OF WASHINGTON  
SOUTHERN DIVISION

UNITED STATES OF AMERICA,  
Petitioner

FINAL PARTIAL  
T R A N S C R I P T

v.  
16 Acres of Land in Pierce County,  
Washington, and Annie Jones, et al.

NO. 494

Parcel 15A

Respondents

33-49-405-4

# Commonwealth Title Insurance Company

W. R. RUST BUILDING  
TACOMA, WASHINGTON

## PRELIMINARY CERTIFICATE OF TITLE

No. 30220-15A

To THE UNITED STATES OF AMERICA:

The COMMONWEALTH TITLE INSURANCE COMPANY, a corporation organized and existing under the laws of the State of Washington, with its principal office in the City of Tacoma, hereby certifies that from its examination of the title to the real estate described in SCHEDULE A hereof, as of the 0th day of July, 1943 at 8:00 o'clock A.M., the title to the said described real estate was indefeasibly vested in fee simple of record in:

PORT OF TACOMA, a Municipal corporation,

subject only to the objections, liens, charges, encumbrances and other matters shown under SCHEDULE B hereof.

The maximum liability of the undersigned under this certificate is limited to the sum of

TWO HUNDRED FIFTY and No/100 --- DOLLARS (\$250.00)

This certificate of title is made in consideration of the payment of the premium by the applicant and for its use  
and that of 108 immediate vendor.

IN WITNESS WHEREOF the said Company has caused its corporate seal to be hereto affixed and these presents to be duly signed in accordance with its by-laws.

**Commonwealth Title Insurance Company**

*Walter F. Fogg* President  
*James E. Perry* Assistant Secretary

FOR VALUE, Washington Title Insurance Company, a Washington corporation, does hereby guarantee the foregoing certificate of title, this guaranty being for the direct benefit of both the issuing company and the parties for whose use it is issued.

**WASHINGTON TITLE INSURANCE COMPANY**

*L. S. Booth* President  
*Walter C. Oakfield* Assistant Secretary

**SCHEDULE A**

Being the legal description of the real estate covered by this certificate.

The following described parcels of real estate:

**IN THE COUNTY OF PIERCE, STATE OF WASHINGTON**

Portion of north half of northwest quarter of northwest quarter of Section Thirty-five (35), Township Twenty-one (21) North, Range Three (3) East of the Willamette Meridian, described as follows:

Beginning on the southwesterly line of Alexander Avenue as laid out by the City of Tacoma, 880 feet southeasterly from the southeasterly line of Block 9, "State Land Commissioner's Replat of Blocks 13 to 48, both inclusive, Tacoma Tidelands, formerly in King County, Washington", commonly referred to as 'Ashton's Replat', thence on said southwesterly line of Alexander Avenue, south  $47^{\circ}15'36''$  east 795.78 feet to south line of north half of northwest quarter of northwest quarter of said Section 35; thence north  $87^{\circ}37'50''$  west 1034.96 feet to a line parallel with and 670 feet southwesterly from said southwesterly line of Alexander Avenue; thence on said southwesterly line north  $47^{\circ}15'36''$  west 7.00 feet to said line which is 880 feet southeasterly from the southeasterly line of Block 9; thence north  $42^{\circ}44'24''$  east 670 feet to the place of beginning.

**SCHEDULE B**

Being all of the estates, interests, equities, lawful claims, or demands, defects, or objections whatsoever to title; and all encumbrances, restrictions, liens, charges, taxes (general, special, or inheritance or assessments of whatever nature), or encumbrances; and all other matters whatsoever affecting said premises, or the estate, right, title or interest of the record owners, which now do exist of record. ; or which otherwise may be known actually to exist, but which may not be of record.

1. Assessment for water main, District #5139, payable in 10 annual installments with interest. Original amount \$22.35. No payments have been made and all installments are now delinquent. (As to an undivided one-half of part of north half of northwest quarter of northwest quarter of Section 35, Township 21 North, Range 3 East of the Willamette Meridian lying southeasterly of East 11th Street and within 900 feet therefrom).
2. Provisions of Chapter #45 of the session laws of 1939, of the State of Washington, regulating the use of said lands.
3. Any unpaid charges for installation of water service and for water, electric light, power or sewer service furnished to said premises by the City of Tacoma.

(End of Schedule B)

# Commonwealth Title Insurance Company

CAPITAL \$175,000

\$75,000 GUARANTY FUND DEPOSITED WITH STATE TREASURER

All Title Insurance Policies issued by this Company are Reinsured by

Washington Title Insurance Company

Capital \$1,350,000. \$800,000 Guaranty Fund deposited with State Treasurer

Telephone Broadway 1281

W. R. RUST BUILDING

TACOMA, WASHINGTON

January 3, 1944

No. 30220-15A

## SUPPLEMENTAL REPORT

Department of Justice  
Lands Division  
Tacoma, Washington

Gentlemen:

In the matter of your application for a guaranteed Certificate of Title, you are advised that the records shown change since the effective date of our preliminary report dated July 10, 1943, except:

The record title to the premises described in said preliminary report is now vested in UNITED STATES OF AMERICA, subject further to the following:

1. The matter noted in paragraph 2 of said preliminary report.

NOTE: The assessment noted in paragraph 1 of said preliminary report has been paid and the matter noted in paragraph 3 may now be disregarded.

Records examined to December 28, 1943, at 8 a.m.

COMMONWEALTH TITLE INSURANCE COMPANY

By

*Stewart E. Perry*  
Assistant Secretary

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(Reproduced at the National Archives-Pacific NW Region)

ON:bjk

IN THE DISTRICT COURT OF THE UNITED STATES  
FOR THE WESTERN DISTRICT OF WASHINGTON  
SOUTHERN DIVISION

UNITED STATES OF AMERICA,

Petitioner,

vs.

16 Acres of Land in Pierce  
County, Washington; Annie Jones,  
et al.,PORT OF TACOMA, a municipal  
corporation;

Respondents.

DOCKET NO. 494

JUDGMENT AND ORDER TO  
PAY FUNDS ON PARCEL NO. 15-A.*Entered 1-3-44*

This matter coming on regularly for hearing this day on the petition of the respondent, Port of Tacoma, a municipal corporation, to withdraw the sum of Two Thousand (\$2,000.00) Dollars heretofore deposited with the clerk of this Court by the United States of America as estimated just compensation for the taking of Parcel No. 15-A, being a portion of the real property designated in the petition for condemnation and the Declaration of Taking herein as Parcel No. 15, said Parcel No. 15 and Parcel No. 15-A being more particularly hereinafter described, and said respondent by the filing of its petition having appeared herein, having consented to the jurisdiction of this Court, having waived notice of hearing and having agreed to accept the sum of Two Thousand (\$2,000.00) Dollars as full settlement of all claims against the United States of America for and as a final award of just compensation for the taking of said Parcel No. 15-A and the Court having considered said petition and having considered the proof offered as to the rights of said respondent to the sum claimed and as to the fair and reasonable value of the property so taken, and the Court being generally duly advised in the premises, now, therefore, it is hereby,

ORDERED and ADJUDGED that the Clerk of this Court pay the sum of Two Thousand (\$2,000.00) Dollars to the Port of Tacoma, a municipal corporation, said sum of Two Thousand (\$2,000.00) Dollars having heretofore been deposited with the Clerk as just compensation for the taking of said Parcel No. 15-A by the United States of America.

1 It is further ORDERED, ADJUDGED and DE REED that the payment  
2 of Two Thousand (\$2,000.00) Dollars shall constitute full settlement  
3 of all claims against the United States of America and the final  
4 award of just compensation for the taking of the real property,  
5 situate in Pierce County, State of Washington and more particularly  
6 described as follows:

7 PARCEL NO. 15-A:

8 Portion of north half of northwest quarter of  
9 northwest quarter of Section Thirty-five (35),  
10 Township Twenty-one (21) North, Range Three  
11 (3) East of the Willamette Meridian, described  
12 as follows:

13 Beginning on the southwesterly line of Alexander  
14 Avenue as laid out by the City of Tacoma, 880 feet  
15 southeasterly from the southeasterly line of Block  
16 9, "State Land Commissioner's Replat of Blocks 18  
17 to 48, both inclusive, Tacoma Idelands, formerly  
18 in King County, Washington", commonly referred to  
19 as 'Ashton's Replat', thence on said southwesterly  
20 line of Alexander Avenue, south 47° 16' 36" east  
21 795.78 feet to south line of north half of northwest  
22 quarter of northwest quarter of said Section 35; thence  
23 north 67° 37' 50" west 1054.38 feet to a line parallel  
24 with and 670 feet southwesterly from said southwesterly  
25 line of Alexander Avenue; thence on said southwesterly  
26 line north 47° 16' 36" west 7.00 feet to said line which  
27 is 820 feet southeasterly from the southeasterly line  
28 of Block 9; thence north 42° 44' 24" east 670 feet to  
29 the place of beginning.

30 which said Parcel No. 15-A is a portion of the following described  
31 property, situate in the County of Pierce, State of Washington:

32 PARCEL NO. 15:

33 Commencing at a point of intersection of the exten-  
34 sions of the southeasterly line of East Eleventh  
35 Street and the southwesterly line of Alexander  
36 Avenue, as now laid out and established; thence  
37 southeasterly along said southwesterly line of  
38 Alexander Avenue, as extended, a distance of one  
39 thousand feet to a point, said point being the  
40 true point of beginning; thence continuing south-  
41 easterly along said southwesterly line of Alex-  
42 ander Avenue a distance of one thousand forty  
43 feet to a point; thence southwesterly parallel  
44 to the southwesterly line of East Eleventh Street  
45 a distance of six hundred seventy feet to a  
46 point; thence northwesterly parallel to the south-  
47 westerly line of Alexander Avenue a distance of  
48 one thousand forty feet to a point; thence north-  
49 easterly parallel to the southwesterly line of  
50 East Eleventh Street a distance of six hundred  
51 seventy feet to the point of beginning, said  
52 tract being situated in the west one half of  
53 Section 35, Township 21 North, Range 3 East, W.  
54 N., and containing 16 acres, more or less,  
55 Pierce County, Washington.

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It is further ORDERED, ADJUDGED and DECREED that the simple legal title to Parcel No. 18-A hereinabove described is: vested in the United States of America free and clear of any and all charges, interest, claims, taxes, liens and encumbrances of any kind or character whatsoever.

DONE IN OPEN COURT this 3rd day of January, 1944  
December, 1943.

CHARLES H. LEAVY  
United States District Judge

Presented by:

*Henry J. Tyle*

OLIVER WALSH  
Special Attorney  
Department of Justice

Approved as to form and contents:

TEATS & TEATS

By *Lee Teatts*  
Attorneys for Port of Tacoma,  
a municipal corporation.

The foregoing is a full, true and correct copy of  
the within instrument.

WITNESS my hand and official seal this 4th day  
of January, 1944  
HUDSON W. SHORR, Clerk  
By *Oliver Burachman* DEPUTY

# Commonwealth Title Insurance Company

W. R. RUST BUILDING  
TACOMA, WASHINGTON

## CERTIFICATE OF TITLE

No. 30220-15A

Cause #494

To THE UNITED STATES OF AMERICA:

The COMMONWEALTH TITLE INSURANCE COMPANY, a corporation organized and existing under the laws of the State of Washington, with its principal office in the City of Tacoma, hereby certifies that from its examination of the title to the real estate described in SCHEDULE A hereof, as of the 3rd day of September, 1943 at 8:00 o'clock A.M., the title to the said described real estate was indefeasibly vested in fee simple of record in:

UNITED STATES OF AMERICA,

subject only to the objections, liens, charges, encumbrances and other matters shown under SCHEDULE B hereof.

The maximum liability of the undersigned under this certificate is limited to the sum of

TWO THOUSAND and No/100 --- DOLLARS (\$2000.00)

This certificate of title is made in consideration of the payment of the premium by the applicant and for its use and that of its immediate vendor.

IN WITNESS WHEREOF the said Company has caused its corporate seal to be hereto affixed and these presents to be duly signed in accordance with its by-laws.

**Commonwealth Title Insurance Company**

*Harcey Fogg* President  
*Summit E. Terry* Assistant Secretary

FOR VALUE, Washington Title Insurance Company, a Washington corporation, does hereby guarantee the foregoing certificate of title, this guaranty being for the direct benefit of both the issuing company and the parties for whose use it is issued.

**WASHINGTON TITLE INSURANCE COMPANY**

*L. S. Booth* President  
*Willis C. Ogden* Assistant Secretary

**SCHEDULE A**

Being the legal description of the real estate covered by this certificate.

The following described parcels of real estate:

IN THE COUNTY OF PIERCE, STATE OF WASHINGTON

Portion of north half of northwest quarter of northwest quarter of Section Thirty-five (35), Township Twenty-one (21) North, Range Three (3) East of the Willamette Meridian, described as follows:

Beginning on the southwesterly line of Alexander Avenue as laid out by the City of Tacoma, 880 feet southeasterly from the southeasterly line of Block 9, "State Land Commissioner's Replat of Blocks 13 to 48, both inclusive, Tacoma Tidelands, formerly in King County, Washington", commonly referred to as 'Ashton's Replat', thence on said southwesterly line of Alexander Avenue, south 47°15'36" east 795.78 feet to south line of north half of northwest quarter of northwest quarter of said Section 35; thence north 87°37'50" west 1034.96 feet to a line parallel with and 670 feet southwesterly from said southwesterly line of Alexander Avenue; thence on said southwesterly line north 47°15'36" west 7.00 feet to said line which is 880 feet southeasterly from the southeasterly line of Block 9; thence north 42°44'24" east 670 feet to the place of beginning.

**SCHEDULE B**

Being all of the estates, interests, equities, lawful claims, or demands, defects, or objections whatsoever to title; and all easements, restrictions, liens, charges, taxes (general, special, or inheritance or assessments of whatever nature), or encumbrances; and all other matters whatsoever affecting said premises, or the estate, right, title or interest of the record owners, which now do exist of record ; or which otherwise may be known actually to exist, but which may not be of record.

(End of Schedule B)



Office of the Attorney General  
Washington, D.C.

August 11, 1944

17D 13/NI-13  
7-5  
AUG 15 8 57 AM '44

Honorable James V. Forrestal  
Secretary of the Navy  
Washington, D. C.

My dear Mr. Secretary:

Enclosed is a certificate of the clerk of the court showing a deposit of the sum of \$2,250.00 into the registry of the court, pursuant to a deficiency judgment, dated February 2, 1944, for the acquisition of Tract No. 15-B, 9.82 acres, of the Expansion of Seattle-Tacoma Ship-building Company Facilities project included in the condemnation proceeding entitled United States of America v. 16 acres of land, more or less, situate in Pierce County, Washington, and Annie Jones, et al., Docket No. 494, in the United States District Court for the Western District of Washington, Southern Division.

The title to Tract No. 15-B has heretofore vested in the United States of America in fee simple, subject to existing public utility easements. The above-mentioned judgment is now satisfied and the acquisition of Tract No. 15-B is completed.

Also enclosed are the certificate of title and certified copy of the judgment.

Respectfully,

*Francis Biddle*  
Attorney General

652305

20

ENCLOSURE

FILE

ENI/NI-13

BR

101

Docket 1245

IN THE DISTRICT COURT OF THE UNITED STATES  
FOR THE WESTERN DISTRICT OF WASHINGTON  
SOUTHERN DIVISION

UNITED STATES OF AMERICA,

Petitioner

v.  
16 acres of land in Pierce County,  
Washington, and Annie Jones, et  
al,

Respondents

FINAL PARTIAL  
T R A N S C R I P T

NO. 494

Parcel 15-B

33-49- 405-4



IN THE DISTRICT COURT OF THE UNITED STATES  
FOR THE WESTERN DISTRICT OF WASHINGTON  
SOUTHERN DIVISION

February 21, 1944

I, JUDSON W. SHORETT, Clerk of the United States District Court for the Western District of Washington, do hereby certify that there was deposited in the registry of this Court on February 21, 1944 the sum of \$2,250.00, same being deficiency judgment without interest, in favor of Kanaskat Lumber and shingle Company, a Washington corporation, for Parcel 15-B, Cause No. 494, United States of America, Petitioner, vs. 16 acres of land in Pierce County, Washington, and Annie Jones, et al, Respondents.

WITNESS my hand and official seal at Tacoma, Washington, this 21st day of February, 1944.

JUDSON W. SHORETT, Clerk

By

*[Signature]*  
Deputy Clerk

RECEIVED FEB 22 1944

RECEIVED  
FEB 22 1944

107

IN THE DISTRICT COURT OF THE UNITED STATES  
FOR THE WESTERN DISTRICT OF WASHINGTON  
SOUTHERN DIVISION

UNITED STATES OF AMERICA,

Petitioner

v.

16.0 Acres of Land in Pierce Co.,  
Washington, and Annie Jones, et al

Respondents

INTERMEDIATE PARTIAL

T R A N S C R I P T

NO. 494

Parcel 15B

33-49- 405-4

DEFICIENCY

2 250  
21  
47 50

# Commonwealth Title Insurance Company

W. R. RUST BUILDING  
TACOMA, WASHINGTON

## PRELIMINARY CERTIFICATE OF TITLE

No. 30220-15B

To THE UNITED STATES OF AMERICA:

The COMMONWEALTH TITLE INSURANCE COMPANY, a corporation organized and existing under the laws of the State of Washington, with its principal office in the City of Tacoma, hereby certifies that from its examination of the title to the real estate described in SCHEDULE A hereof, as of the 10th day of July, 1943 at 8:00 o'clock A.M., the title to the said described real estate was indefeasibly vested in fee simple of record in:

THE KANASKAT LUMBER AND SHINGLE COMPANY, a Washington corporation,

subject only to the objections, liens, charges, encumbrances and other matters shown under SCHEDULE B hereof.

The maximum liability of the undersigned under this certificate is limited to the sum of

**TWO HUNDRED FIFTY and No/100 --- DOLLARS (\$250.00)**

This certificate of title is made in consideration of the payment of the premium by the applicant and for its use immediate vendor. and that of its

IN WITNESS WHEREOF the said Company has caused its corporate seal to be hereto affixed and these presents to be duly signed in accordance with its by-laws.

**Commonwealth Title Insurance Company**

*Horace Fogg* President  
*Sumner E. Perry* Assistant Secretary

FOR VALUE, Washington Title Insurance Company, a Washington corporation, does hereby guarantee the foregoing certificate of title, this guaranty being for the direct benefit of both the issuing company and the parties for whose use it is issued.

**WASHINGTON TITLE INSURANCE COMPANY**

*L. S. Booth* President  
*Willis C. Clifford* Assistant Secretary

**SCHEDULE A**

Being the legal description of the real estate covered by this certificate.

The following described parcels of real estate:

**IN THE COUNTY OF PIERCE, STATE OF WASHINGTON**

Portion of south half of northwest quarter of northwest quarter of Section Thirty-five (35), Township Twenty-one (21) North, Range Three (3) East of the Willamette Meridian, described as follows:

Beginning at the intersection of the south-westerly line of Alexander Avenue with a line parallel with and 880 feet southeasterly of the southeasterly line of Block 9, "State Land Commissioner's Replat of Blocks 13 to 48, both inclusive, Tacoma Tidelands, formerly in King County, Washington", commonly referred to as 'Ashton's Replat'; thence on said line of Alexander Avenue south  $47^{\circ}15'36''$  east 795.78 feet to the true place of beginning of this description; thence continuing on said line of Avenue south  $47^{\circ}15'36''$  east 244.22 feet to a line parallel with and 1920 feet southeasterly from said southeasterly line of Block 9, south  $42^{\circ}44'24''$  west 625.35 feet to south line of northwest quarter of northwest quarter of said Section 35; thence north  $85^{\circ}28'20''$  west 72.16 feet to a line parallel with and 670 feet southwesterly from said line of Alexander Avenue; thence north  $47^{\circ}15'36''$  west 976.30 feet to the south line of the north half of northwest quarter of northwest quarter of said Section; thence south  $87^{\circ}37'50''$  east along said south line 1034.96 feet to the true place of beginning.

**SCHEDULE B**

Being all of the estates, interests, equities, lawful claims, or demands, defects, or objections whatsoever to title; and all easements, restrictions, liens, charges, taxes (general, special, or inheritance or assessments of whatever nature), or encumbrances; and all other matters whatsoever affecting said premises, or the estate, right, title or interest of the record owners, which now do exist of record; or which otherwise may be known actually to exist, but which may not be of record.

1. General taxes for the years 1933 to 1937, inclusive, in the original amount of \$189.11, payable under Agreement No. 9625 with the Treasurer of said county in twenty semi-annual installments on or before the 31st day of May and the 30th day of November in each year. The first 8 installments have been paid. The 9th installment is payable on or before November 30, 1943. (As to west half of east half of south half of north-west quarter of northwest quarter).
2. General taxes for the years 1933 to 1937, inclusive, in the original amount of \$189.17, payable under Agreement No. 9626, with the Treasurer of said county in twenty semi-annual installments on or before the 31st day of May and the 30th day of November in each year. The first 8 installments have been paid. The 9th installment is payable on or before November 30, 1943. (As to east half of east half of south half of northwest quarter of northwest quarter).
3. General taxes for the year 1933 to 1937, inclusive, in the original amount of \$189.11, payable under Agreement No. 9627, with the Treasurer of said county in twenty semi-annual installments on or before the 31st day of May and the 30th day of November in each year. The first 8 installments have been paid. The 9th installment is payable on or before November 30, 1943. (As to east half of west half of south half of northwest quarter of northwest quarter).
4. General taxes for the year 1933 to 1937, inclusive, in the original amount of \$189.11, payable under Agreement No. 9628, with the Treasurer of said county in twenty semi-annual installments on or before the 31st day of May and the 30th day of November in each year. The first 8 installments have been paid. The 9th installment is payable on or before November 30, 1943. (As to west half of west half of south half of northwest quarter of northwest quarter).
5. Any unpaid charges for installation of water service and for water, electric light, power or sewer service furnished to said premises by the City of Tacoma.

(End of Schedule B)

# Commonwealth Title Insurance Company

CAPITAL \$175,000

\$75,000 GUARANTY FUND DEPOSITED WITH STATE TREASURER

All Title Insurance Policies issued by this Company are Reinsured by

**Washington Title Insurance Company**

Capital \$1,150,000. \$200,000 Guaranty Fund deposited with State Treasurer

W. R. RUST BUILDING

TACOMA, WASHINGTON

Telephone Broadway 1281

February 3, 1944

No. 30220-15B

Cause #494

## SUPPLEMENTAL REPORT

Department of Justice  
Lands Division  
Tacoma, Washington

Gentlemen:

In the matter of your application for a guaranteed Certificate of Title you are advised that the records show no change since the effective date of our preliminary report dated July 10, 1943, except:

The record title to the premises described in said preliminary report is now vested in UNITED STATES OF AMERICA, free from all lien and encumbrances.

NOTE: General taxes noted in paragraphs 1, 2, 3 and 4 of said preliminary report have been paid and the matter in paragraph 5 may now be disregarded.

Records examined to January 31, 1944, at 8 a.m.

COMMONWEALTH TITLE INSURANCE COMPANY

By

*Stewart E. Perry*  
Assistant Secretary

RJM

103a

# Commonwealth Title Insurance Company

W. K. RUST BUILDING  
TACOMA, WASHINGTON

## CERTIFICATE OF TITLE

No. 30220-15B

Cause #494

To THE UNITED STATES OF AMERICA:

The COMMONWEALTH TITLE INSURANCE COMPANY, a corporation organized and existing under the laws of the State of Washington, with its principal office in the City of Tacoma, hereby certifies that from its examination of the title to the real estate described in SCHEDULE A hereof, as of the 18th day of September, 1943 at 8:00 o'clock A.M., the title to the said described real estate was indefeasibly vested in fee simple of record in:

UNITED STATES OF AMERICA,

subject only to the objections, liens, charges, encumbrances and other matters shown under SCHEDULE B hereof.

The maximum liability of the undersigned under this certificate is limited to the sum of

FOUR THOUSAND SEVEN HUNDRED FIFTY and No/100 --- DOLLARS (\$4750.00)

This certificate of title is made in consideration of the payment of the premium by the applicant and for its use and that of its immediate vendor.

IN WITNESS WHEREOF the said Company has caused its corporate seal to be hereto affixed and these presents to be duly signed in accordance with its by-laws.

Commonwealth Title Insurance Company

*Harold Fogg* President  
*Summit E. Perry* Assistant Secretary

FOR VALUE, Washington Title Insurance Company, a Washington corporation, does hereby guarantee the foregoing certificate of title, this guaranty being for the direct benefit of both the issuing company and the parties for whose use it is issued.

WASHINGTON TITLE INSURANCE COMPANY

*L. S. Booth* President  
*Indio C. Adgried* Assistant Secretary

## **SCHEDULE A**

Being the legal description of the real estate covered by this certificate.

The following described parcels of real estate:

### **IN THE COUNTY OF PIERCE, STATE OF WASHINGTON**

Portion of south half of northwest quarter of northwest quarter of Section Thirty-five (35), Township Twenty-one (21) North, Range Three (3) East of the Willamette Meridian, described as follows:

Beginning at the intersection of the south-westerly line of Alexander Avenue with a line parallel with and 880 feet southeasterly of the southeasterly line of Block 9, "State Land Commissioner's Replat of Blocks 13 to 48, both inclusive, Tacoma Tidelands, formerly in King County, Washington", commonly referred to as 'Ashton's Replat'; thence on said line of Alexander Avenue south  $47^{\circ}15'36''$  east 795.78 feet to the true place of beginning of this description; thence continuing on said line of Avenue south  $47^{\circ}15'36''$  east 244.22 feet to a line parallel with and 1920 feet southeasterly from said southeasterly line of Block 9, south  $42^{\circ}44'24''$  west 625.35 feet to south line of northwest quarter of northwest quarter of said Section 35; thence north  $85^{\circ}28'20''$  west 72.16 feet to a line parallel with and 670 feet southwesterly from said line of Alexander Avenue; thence north  $47^{\circ}15'36''$  west 976.30 feet to the south line of the north half of northwest quarter of northwest quarter of said Section; thence south  $87^{\circ}37'50''$  east along said south line 1034.96 feet to the true place of beginning.



**SCHEDULE B**

Being all of the estates, interests, equities, lawful claims, or demands, defects, or objections whatsoever to title; and all easements, restrictions, liens, charges, taxes (general, special, or inheritance or assessments of whatever nature), or encumbrances; and all other matters whatsoever affecting said premises, or the estate, right, title or interest of the record owners, which now do exist of record. ; or which otherwise may be known actually to exist, but which may not be of record.

(End of Schedule B)

IN THE DISTRICT COURT OF THE UNITED STATES  
FOR THE WESTERN DISTRICT OF WASHINGTON  
SOUTHERN DIVISION

HIX:cmj

1 UNITED STATES OF AMERICA,

2 Petitioner,

DOCKET NO. 404

3  
4 v.

JUDGMENT AND ORDER TO PAY  
FUNDS AND GRANTING A DE-  
FICIENCY JUDGMENT ON  
PARCEL 15-B.

5 16.0 Acres of Land, More or  
6 Less, Situate in Pierce  
7 County, Washington, and  
ANNIE JONES, et al,

8 KANASKAT LUMBER & SHINGLE  
9 COMPANY, a Washington corpora-  
tion, et al,

(filed *February* 2, 1944)

10 Respondents.

11 This matter coming on regularly for hearing this day on  
12 the petition of the respondent, Kanaskat Lumber and Shingle  
13 Company, a Washington corporation, to withdraw the sum of  
14 Twenty-five Hundred (\$2500.00) Dollars heretofore deposited  
15 with the Clerk of this Court by the United States of America  
16 as estimated just compensation for the taking of Parcel No.  
17 15-B, being a portion of the real property designated in the  
18 petition for condemnation and the declaration of taking herein  
19 as Parcel No. 15, said Parcel No. 15 and Parcel No. 15-B be-  
20 ing more particularly hereinafter described, and for the sum  
21 of Twenty-two Hundred Fifty (\$2250.00) Dollars as a deficiency  
22 judgment, and said respondent by the filing of its petition  
23 having appeared herein, having consented to the jurisdiction  
24 of this Court, <sup>SEP 13 11 00 AM '44</sup> having waived notice of hearing and having  
25 agreed to accept the sum of Forty-seven Hundred Fifty (\$4750.)  
26 Dollars as full <sup>WVA 10 21 44</sup> settlement of all claims against the United  
27 States of America for and as a final award of just compensa-  
28 tion for the taking of said real property, and the Court hav-  
29 ing ~~considered said petition~~ and having considered the proof  
30 offered as to the rights of said respondent to the sum claimed  
31 and as to the fair and reasonable value of the property so  
32 taken, <sup>207613</sup> the Court being generally duly advised in the pre-

1 mises, now, therefore, it is hereby

2 ORDERED and ADJUDGED that the Clerk of this Court pay  
3 the sum of Twenty-five Hundred (\$2500.00) Dollars to the  
4 Kanaskat Lumber and Shingle Company, a Washington corporation,  
5 said sum of Twenty-five Hundred (\$2500.00) Dollars having  
6 heretofore been deposited with the Clerk of this Court as just  
7 compensation for the taking of said Parcel No. 15-B by the  
8 United States of America, and it is further

9 ORDERED and ADJUDGED that the Kanaskat Lumber and Shingle  
10 Company, a Washington corporation, have and hereby recover of  
11 and from the petitioner, the United States of America, a defi-  
12 ciency judgment in the sum of Twenty-two Hundred Fifty (\$2250.)  
13 Dollars without interest, and it is further

14 ORDERED, ADJUDGED and DECREED that the payment of Twenty-  
15 five Hundred (\$2500.00) Dollars, together with said deficiency  
16 judgment in the amount of Twenty-two Hundred Fifty (\$2250.00)  
17 Dollars, shall constitute full settlement of all claims  
18 against the United States of America and the final award of  
19 just compensation for the taking of the real estate, situate  
20 in Pierce County, State of Washington, and more particularly  
21 described as follows:

22 TRACT NO. 15-B:

23 Portion of south half of northwest quarter of  
24 northwest quarter of Section Thirty-five (35),  
25 Township Twenty-one (21) North, Range Three (3)  
East of the Willamette Meridian, described as  
follows:

26 Beginning at the intersection of the south-  
27 westerly line of Alexander Avenue with a line  
parallel with and 380 feet southeasterly of the  
28 southeasterly line of Block 9, "State Land Commis-  
sioner's Replat of Blocks 13 to 49, both inclusive,  
Tacoma Tidelands, formerly in King County, Washing-  
29 ton", commonly referred to as 'Ashton's Replat',  
thence on said line of Alexander Avenue south 47°  
30 15' 36" east 798.78 feet to the true place of be-  
ginning of this description; thence continuing on  
31 said line of Avenue south 47° 15' 36" east 244.28  
32 feet to a line parallel with and 1020 feet south-  
easterly from said southeasterly line of Block 9,

south 42° 44' 24" west 685.35 feet to south line of northwest quarter of northwest quarter of said Section 35; thence north 88° 23' 20" west 72.16 feet to a line parallel with and 670 feet southwesterly from said line of Alexander Avenue; thence north 47° 15' 36" west 976.30 feet to the south line of the north half of northwest quarter of northwest quarter of said Section; thence south 87° 37' 50" east along said south line 1034.96 feet to the true place of beginning.

which said Parcel No. 15-B is a portion of the following-described property, situate in the County of Pierce, State of Washington, to-wit;

PARCEL NO. 15,

Commencing at a point of intersection of the extensions of the southeasterly line of East Eleventh Street and the southwesterly line of Alexander Avenue, as now laid out and established; thence southeasterly along said southwesterly line of Alexander Avenue, as extended, a distance of one thousand feet to a point, said point being the true point of beginning; thence continuing southeasterly along said southwesterly line of Alexander Avenue a distance of one thousand forty feet to a point; thence southwesterly parallel to the southwesterly line of East Eleventh Street a distance of six hundred seventy feet to a point; thence northwesterly parallel to the southwesterly line of Alexander Avenue a distance of one thousand forty feet to a point; thence northeasterly parallel to the southwesterly line of East Eleventh Street a distance of six hundred seventy feet to the point of beginning, said tract being situated in the west one half of Section 35, Township 21 North, Range 3 East, W.M., and containing 16 acres, more or less, Pierce County, Washington.

and it is further

ORDERED, ADJUDGED and DECORDED that fee simple legal title to Parcel No. 15-B heretofore described is vested in the United States of America free and clear of any and all charges, interest, claims, taxes, liens and encumbrances of any kind or character whatsoever.

DONE IN OPEN COURT this 2 day of February, 1944.

Approved as to form:

CHAS. H. H. LEAVY  
United States District Judge

ELVIN P. CARMY  
Attorney for respondent.  
Presented by:

The foregoing is a full, true and correct copy of the within instrument  
WITNESS my hand and official seal this 10 day of Feb. 1944

Henry J. Kyle  
Special Attorney  
Department of Justice

JUDSON W. SUGG  
Clerk  
DEPUTY

HIK:emj

IN THE DISTRICT COURT OF THE UNITED STATES  
FOR THE WESTERN DISTRICT OF WASHINGTON  
SOUTHERN DIVISION

UNITED STATES OF AMERICA,

Petitioner,

DOCKET NO. 494

v.

16 Acres of Land, More or  
Less, Situate in Pierce  
County, Washington, and  
ANNIE JONES, et al,

FINAL JUDGMENT AND ORDER  
DIRECTING CLERK TO PAY  
DEFICIENCY JUDGMENT FOR  
PARCEL 16-B.

KANASKAT LUMBER AND SHINGLE  
COMPANY, a Washington cor-  
poration,

(filed February 21, 1944)

Respondents.)

This matter coming on regularly for hearing this day and it appearing to the Court that on February 8, 1944 deficiency judgment in the sum of Twenty-two Hundred Fifty (\$2250.00) Dollars without interest was entered herein in favor of Kanaskat Lumber and Shingle Company, a Washington corporation, against the United States of America on account of the taking of Parcel No. 16-B, therein described, and it further appearing to the Court that on February 21, 1944 the sum of Twenty-two Hundred Fifty (\$2250.00) Dollars was deposited by the United States of America in the registry of this Court for and on account of said deficiency judgment, and the Court being generally duly advised in the premises, now, therefore, it is hereby

ORDERED that the Clerk of this Court be and he is hereby authorized and directed to pay to Kanaskat Lumber and Shingle Company, a Washington corporation, the sum of Twenty-two Hundred Fifty (\$2250.00) Dollars in full payment and satisfaction of said deficiency judgment; and it is further

652305

ORDERED that payment of said deficiency judgment shall and does constitute full settlement of all claims against the United States of America for the taking of said Parcel No. 15-B, the property described in said judgment of February 2, 1944.

DONE IN OPEN COURT this 21 day of February, 1944.

s/ CHARLES E. LEAVY  
United States District Judge

Presented by:

s/ HENRY I. KYLS  
Special Attorney  
Department of Justice

The foregoing is a full, true and correct copy  
the within instrument, filed 4/21/44  
WITNESS my hand and official seal this 21 day  
of April 1944  
JUDSON W. SHARRETT, Clerk  
By E. Redmayne  
Deputy

Docket 404  
Final Judgment

**COPY**

National Archives - Pacific NW Region  
6125 Sand Point Way, NE  
Seattle, WA 98115

Record Group NO. 121 Public Buildings Service

Additional Information Regional Office, Seattle (Region 10)

Real Property Disposal Case Files

Box # 195 : 1 File: N-WASH - 545 1-E

Report of Excess # 118 b

U. S. Naval Industrial Shipyard, Tacoma, Wx.





Seattle-Tacoma Ship-  
Bldg. Corp. (764b)

NJE:ch  
1-29-43

JAN 30 1943

From: The Chief of the Bureau of Ships.  
To: The Officer-in-Charge of Shipbuilding & Conversion, USN  
Tacoma, Washington.  
SUBJECT: Contract H06c-779 - Shipbuilding Facilities -  
Seattle-Tacoma Shipbuilding Corp., Tacoma,  
Washington - Acquisition of real estate.

Reference:  
(a) BUSHIPS ltr. CM/Seattle-Tacoma Shipbuilding Corp.  
(152) to BUDOCKS (Real Estate Div.) dated January  
24, 1943.

Enclosure: (herewith)  
(A) Copy of reference (a).

1. Enclosure (A) is forwarded herewith for the informa-  
tion and files of the Officer-in-Charge of Shipbuilding and Con-  
version.

2. The Bureau has previously requested that steps be  
taken to negotiate leases for various parcels of property in  
connection with the subject contract. However, because of the  
heavy investment that the Navy will have on these lands, it has  
been determined that these properties be acquired rather than  
leased. In addition to the parcels previously requested for  
lease, the Bureau has recommended the acquisition of the Barbara  
tract which contains approximately seven acres and will round out  
the ship yard. The Bureau is taking the necessary steps to set  
up additional funds under the subject contract for the acquisi-  
tion of the real estate outlined in enclosure (A).

R. E. Jones  
By Director

2011337

REPRODUCED AT THE NATIONAL ARCHIVES

Box  
1002

RG 19 Bureau of Ships Gen'l Comp.  
1940-1945 (Vol. 4-7)

OM Todd Pacific SYD

1942

Vol. 5

Reproduced at the National Archives-Pacific NW Region

All payments for payment under this contract should include a reference to No. NOY(R)34111

LEASE  
Between

FOSS LAUNCH AND TUG CO.  
and

THE UNITED STATES OF AMERICA

1. THIS LEASE, made and entered into this 8th day of FEBRUARY in the year one thousand nine hundred and FORTY-THREE by and between FOSS LAUNCH AND TUG CO. whose address is Tacoma, Washington for itself, its successors, and assigns, hereinafter called the Lessor, the THE UNITED STATES OF AMERICA, hereinafter called the Government:

WITNESSETH: the Parties hereto for the considerations hereinafter mentioned covenant and agree as follows:

2. The Lessor hereby leases to the Government the following described premises, viz; All that piece or parcel of land described as Parcel S-A Lot 6"A", of the State Land Commissioner's Replat of Blocks 13 to 48 inclusive, of Tacoma Tide Lands (formerly in King County) filed under date of December 23, 1918 commonly and generally referred to as the "Ashton Replat," all in Section 26, Township 21 North, Range 3 East, W.M., Pierce County, Washington, containing 1.04 acres, more or less

to be used exclusively for the following purposes (see instruction No. 3):

any purpose desired by the Navy

3. TO HAVE AND TO HOLD the said premises with their appurtenances for the term beginning February 6, 1943

and ending with such time as the Secretary of the Navy declares in writing to the Lessor that said property is no longer needed for naval purposes, provided, however, that said declaration shall be made within a reasonable period after the termination by appropriate action of the President or of the Congress of the U. S. of the National Emergency proclaimed to exist by the President on May 27, 1941 (Proc. No. 24870).

4. The Government shall not assign this lease in any event, and shall not sublet the premises except to a desirable tenant, and for a similar purpose, and will not permit the use of said premises by anyone other than the Government, such sublessee, and the agents and servants of the Government or of such sublessee.

BN 1 & D

7. The Government shall pay the Lessor for the premises rent at the following rate:

\$1.00 for the term, receipt of which is acknowledged.

Payment shall be made at the end of each

8. The Government shall have the right, during the existence of this lease, to make alterations, attach fixtures, and erect additions, structures, or signs, in or upon the premises hereby leased (Provided such alterations, additions, structures, or signs shall not be detrimental to or inconsistent with the rights granted to other tenants on the property or in the building in which said premises are located) which fixtures, additions, or structures so placed in or upon or attached to the said premises shall be and remain the property of the Government and may be removed therefrom by the Government prior to the termination of this lease.

9. The Lessor shall, unless herein specified to the contrary, maintain the said premises in good repair and tenantable condition during the continuance of this lease, except in case of damage arising from the act or the negligence of the Government's agents or employees. For the purpose of so maintaining the premises, the Lessor reserves the right at reasonable times to enter and inspect the premises and to make any necessary repairs thereto.

10. If the said premises be destroyed by fire or other casualty this lease shall immediately terminate. In case of partial destruction or damage, so as to render the premises untenable, either party may terminate the lease by giving written notice to the other within fifteen days thereafter, and if so terminated no rent shall accrue to the Lessor after such partial destruction of damage.

11. No Member of or Delegate to Congress or Resident Commissioner shall be admitted to any share or part of this lease or to any benefit to arise therefrom. Nothing, however, herein contained shall be construed to extend to any incorporated company, if the lease be for the general benefit of such corporation or company.

12. Upon the expiration of the term of this lease, the Lessor, at its sole cost and expense, will relocate the fence which now includes the demised premises with other property owned by the Government so as to separate the demised premises from such other property owned by the Government.

13. The Lessor hereby releases the Government from any obligation of whatever nature to restore the demised premises to the condition existing at the time the Government took occupancy thereof.

14. This lease has been negotiated in settlement of condemnation proceedings entitled U. S. v. J. G. Dickson, et al, Civil No. 483, Parcel 8-A, Washington; J. G. Dickson, et al, Civil No. 483, Parcel 8-A.

MAILED  
BNAFD

IN WITNESS WHEREOF, the parties hereto have hereunto subscribed their names as of the date first above written.

In presence of:

FOSS LAUNCH AND TUG CO.

Sidney D. Campbell  
2005 5th Ave., No -Seattle

Frances Stouffer  
92 E. Newton, Seattle  
Address

W. FOSS

Vice-Pres.

Lessor.

Nels H. Magnuson  
Asst. Secretary

UNITED STATES OF AMERICA

By ANDREW J. MURPHY, Jr.

By direction of the Chief of the  
Bureau of Yards and Docks, acting unde  
direction of the Secretary of the Navy

(If Lessor is a corporation, the following certificate shall be executed by the secretary or assistant secretary.)

I, Nels H. Magnuson, certify that I am the Assistant  
Secretary of the corporation names as Lessor in the attached lease; that  
W. Foss and Nels H. Magnuson, who signed said lease on behalf of  
the Lessor, was then Vice-President and Asst. Sec. of said corporation;  
that said lease was duly signed for and in behalf of said corporation by  
authority of its governing body, and is within the scope of its cor-  
porate powers.

Nels H. Magnuson (Corpora-  
te Seal)

21 10 18 1944

DEPT OF THE NAVY  
WASHINGTON



FILE NO.

FDB:arw (763)

NAVY DEPARTMENT

BUREAU OF SHIPS

WASHINGTON, D. C.



M E M O R A N D U M

June 8, 1943

SUBJECT: Seattle-Tacoma Shipbuilding Corporation -  
Contract NObs-779.

1. The building ways at the subject yard were installed under NObs-779 to accommodate C-3 cargo vessels. These ships weighed approximately 4,000 tons at launching. Such ships were fitted out as auxiliary aircraft carriers and served as the most expedient answer to the shortage of carrier borne aircraft. Recent developments have fostered a new ACV which will be larger and more capable than the converted C-3. This new ship is approximately 60 feet longer than the C-3 and its launching weight will be approximately 7,500 tons. It is designated as ACV105 Class or Cimmaron Type.

2. From the above facts it can be readily seen that the original building ways are inadequate for the construction of these new ships. However, this yard is the easiest to convert and alter to handle these larger ships. The only work necessary will be the strengthening and lengthening of the building ways. There will be no increase in production equipment, power or labor. Introducing aircraft carrier construction into a yard which has not been trained along these lines would seriously handicap the program. Furthermore, it would mean cutting into other types of ship production while these facilities would have to be adapted to other work within the capacity of the ways. Therefore, it may be stated that there are no other facilities capable of handling the work.

3. After a detailed study of the work necessary to convert these eight ways, the company requests \$438,000 to put them into shape to handle new ships. This proposal represents the most economical way, from the viewpoint of materials and time, to accomplish the rebuilding of the ways. This rebuilding is described as follows:

8061018  
156- Please prepare clearance for this  
addition (\$438,000) to NObs 779.  
No change in labor, power or collateral this  
service and community requirements assumed by inter.

COST ESTIMATES FOR PREPARING SHIPBUILDING WAYS FOR

CIMMARON TYPE VESSELS

ESTIMATE OF WAY CONSTRUCTION

STRENGTHENING PRESENT WAYS

1. Piling (material)

(a) 16,275 lin. ft. (green) at (\$.22) = \$ 3,580.00

(b) 5,280 " " (treated) " (\$.50) = 2,910.00 \$ 6,490.00

2. Lumber (material)

(a) 65,815 B.F. (green) at (\$45. per M) = 2,960.00

(b) 20,442 " (creosoted)" (\$90. per M) = 1,840.00 \$ 4,800.00

3. Hardware

\$ 700.00

4. Clearing Site

\$ 3,000.00

5. Labor & Equipment

(a) Piling - 780 at \$7.50 = \$5,850.00

(b) 65.82 M at \$50 per M = 3,280.00

(c) 20.44 M at \$50 per M = 1,020.00

\$10,150.00

Total \$25,140.00

Total 8 Ways = \$202,000.00



LENGTHENING PRESENT WAYS

68'

1. Piling (Material)		
(a) 12,259 L.F. (treated) at \$.50	-	\$ 6,129.00
2. Lumber (Material)		
(a) 40,490 B. F. (creosoted) at (\$.90.00 per M)	=	\$ 3,640.00
3. Hardware	-	500.00
4. Clearing Site	-	\$ 1,500.00
5. Labor & Equipment		
(a) Piling - 321 at \$7.50 = \$2,400.00		
(b) 40.49 M at \$75.00 per M = <u>3,020.00</u>		<u>\$ 5,420.00</u>
Total		\$17,189.00

Total 8 Ways = \$137,500.00

UNDERWATER LAUNCHING WAY CONSTRUCTION

50'

1. Piling (Material)		
(a) 88 - 4,552 L. F. (treated) at \$.50	=	\$ 2,276.00
2. Lumber (Material)		
(a) 9,85 B. F. (creosoted) at (\$90.00 per M)	=	880.00
3. Hardware	=	200.00
4. Labor & Equipment		
(a) Piling - 88 at \$7.50 = \$660.00		
(b) 9.79 M at \$150.00 per M = 1460.00		<u>\$ 2,120.00</u>
Total		\$ 5,476.00

Total 8 Ways = \$43,500.00

SUMMARY FOR R WAYS

Page 1. - Strengthening Present Ways (Timber construction)	-	\$202,000.00
Page 2. - Lengthening Present Ways (Timber construction)	-	137,500.00
Page 3. - Underwater Launching Way Construction (Timber construction)	-	43,500.00
<i>Services of construction contractor (not a fixed fee)</i>		
<del>Contractor's Fee for Construction</del>	-	<u>17,000.00</u>
Total		\$400,000.00
Contingencies	-	<u>38,000.00</u>
Grand Total		\$438,000.00

QW/Seattle I	CODE
	File
	8-5
	W
	O

764  
JK  
6/12/43

N. B. G. 58  
NAVY DEPARTMENT  
BUREAU OF TREASURY  
(Rev. 9-41)

## ROUTE SLIP

Code of Originating Section 156d Initialed by WOD Date 6-14-43

NO.	INITIALED		REMARKS
	BY	DATE	
156	WOD	6-14-43	Clearance for additional facilities for Seattle-Tacoma Shipbuilding Corporation (Contract NObs-779). Increase of \$438,000 for strengthening and extending present ways and for underwater launching ways in order to permit the construction of auxiliary aircraft carriers of the Cimmaron type (ACV105 Class). Total revised estimated cost of facilities furnished by Navy Department, \$7,291,000.
764	SR	6/14/43	
760	SDZ	6/14	
152	SDZ	6/14/43	
700	-	-	
154	EL	6/14/43	(m)
			7081109
FILED DATE 7-6-73		CROSS FILE	FILE NO. QM/Seattle-Tacoma SB Corp.



NAVY DEPARTMENT  
WASHINGTON

ADDRESS REPLY TO  
OFFICE OF PROCUREMENT AND MATERIAL  
AND REFER TO INITIALS  
AND NO.

PM 1011b 250 .11b

Case No. 639

6 July 1943

From: The ~~Deputy~~ Chief of Procurement and Material  
To: The Chief of the Bureau of Ships  
SUBJECT: Proposed expansion of the facilities of Seattle-Tacoma  
Shipbuilding Company, Tacoma, Washington, in the amount  
of \$438,000.  
Enclosure s: (A) Memo 15 June 1943 from BuShips for SecNav, OP&M and WFB.  
(B) Orig. and cy of memo 3 July 1943 W. B. Murphy, Chairman, Indus.  
Fac. Comm. to Chief, BuShips.

1. Enclosure s (A) and (B) are ~~is~~ forwarded herewith as  
evidence of the fact that the subject expansion has been considered  
by cognizant authorities of the War Production Board and Office of  
Procurement and Material and has been APPROVED.

~~For Mr. POWELL~~

*F. H. O'Brien*

F. H. O'BRIEN  
By direction

WAR PRODUCTION BOARD

WASHINGTON, D. C.

July 3, 1943

IN REPLY REFER TO:


MEMORANDUM

TO: Chief, Bureau of Ships  
Navy Department

SUBJECT: Seattle-Tacoma Shipbuilding Company  
Tacoma, Washington  
Case No. 639

The Industrial Facility Committee hereby approves project in the amount of \$438,000 for reinforcing and lengthening eight ways for the production of Auxiliary Aircraft Carriers.

In order to avoid delay and duplication of effort a signed copy of this letter must be included in the case folder and made a part of the permanent record.

  
W. B. Murphy  
Chairman  
Industrial Facility Committee



CM/Seattle-Tacoma SB Corp.  
(156d)

7/6  
241

CERTIFICATE: I certify that the above additional facilities,  
at the estimated costs and under the terms above stated,  
are necessary for the prosecution of the war.

*N. W. Gokes*  
Contracting Officer  
Bureau of Ships

Returned to the Bureau of Ships:

APPROVED: JUL 6 1943, 1943

N. W. Gokes,  
Contracting Officer  
Bureau of Ships

*A. H. Jones*  
Deputy Chief of Procurement and Material  
By direction of the Secretary of the Navy  
and the Director of Purchases, WPB.

APPROVED: July 3, 1943

*W. B. Humphrey*  
Chairman, Industrial Committee, WPB.

Copies to:  
BUSHIPS (120)  
BUSHIPS (278)  
BUSHIPS (760)  
BUSHIPS (760c) (Room 3-2050)  
BUSHIPS (762f)

639

7081169

FACILITIES DIVISION	
R	JUN 13 1943
E	
C	
D	
NAME OF PLANT AND CITY	

NAVY DEPARTMENT  
BUREAU OF SHIPS  
WASHINGTON, D.C.

13 JUN 1943

ON/Seattle-Tacoma SB Corp.  
(1564) dtd 6-14-43

Subj: Shipbuilding Facilities

MEMORANDUM  
FOR THE SECRETARY OF THE NAVY  
THE OFFICE OF PROCUREMENT AND MATERIAL  
AND THE WAR PRODUCTION BOARD

SUBJECT: Clearance for shipbuilding facilities in addition to facilities previously furnished Seattle-Tacoma Shipbuilding Corporation, Tacoma, Washington under Contract NOBS-772. Increase of \$430,000 for strengthening and extending present ways and for underwater launching ways, in order to permit the construction of auxiliary aircraft carriers of the Cimarron type (Acv105 Class). Total revised estimated cost of the facilities furnished by the Navy Department, \$7,291,000.

References:

- (a) Memo for SecNav and WPB, ON/Seattle-Tacoma Shipbuilding Corp. (7516), Sept. 9, 1942.
- (b) Memo for SecNav and WPB, ON/Seattle-Tacoma Shipbuilding Corp. (7528), Oct. 30, 1942.
- (c) Memo for SecNav, WPB and ORM, ON/Seattle-Tacoma Shipbuilding Corp. (7540), Nov. 25, 1942.
- (d) Memo for SecNav and WPB, ON/Seattle-Tacoma Shipbuilding Corp. (152), Jan. 22, 1943.

By references (a), (b) and (c) the authority of the Secretary of the Navy and clearances by the War Production Board and the Office of Procurement and Material were given for the subject contract and the letter of intent therefor providing for the completion of an expansion of the shipbuilding facilities of the subject Contractor at its yard at Tacoma, Washington, begun by the Maritime Commission but transferred, as of September 10, 1942, to the Navy Department, and for further additions to such facilities necessary to enable the Contractor to meet the delivery schedules for auxiliary aircraft carriers building at the yard. By reference (d) similar authority and clearances were given for the acquisition by the Government of title in fee simple to real estate constituting the site for certain of such additions.





NAVY DEPARTMENT  
(1941)

6. In order to adapt the plant to the maximum possible, from the viewpoint of time and material, it is proposed that the following additions to the facilities be authorized:

to be furnished by the Contractor, cost to be paid by the Government

Item	Estimated Cost
Expansion of present wharf (steel construction)	\$ 202,000
Expansion of present wharf (steel construction)	100,000
Underwater launching cranes (8) (timber construction)	25,560
Services of construction contractor and firm fee	9,000
Reserve for contingencies	18,000
	<u>\$ 438,000</u>

7. According to information received from the Contractor the materials required, and their estimated costs are: Piling (timber), \$119,160; Lumber, \$74,560; Hardware, \$11,200.

8. The proposed expansion has a direct and important effect on the conduct of the war and is necessary to meet the requirements for auxiliary aircraft carriers. There are no existing facilities which can be condemned, purchased, leased, rented, converted or otherwise utilized at less expense or with greater economy of materials, which will serve the desired purpose, even at some decrease in efficiency. All non-essential items have been removed from the expansion so that not only the project itself but all of its component parts meet the requirements of essentiality for the conduct of the war. No additional employees, and no additional production equipment, power or water will be required. All collateral needs, such as transportation, housing, community facilities, etc., have been evaluated in arriving at a decision as to the practicability of the expansion.

9. It is requested that approval be given for adding the above facilities to the project covered by Contract WDC-778 at an estimated cost of \$438,000, thereby increasing the total estimated cost of the facilities furnished by the Navy Department to \$7,291,000, and for an appropriate amendment to the contract.

Mr. Seattle Tacoma AB Corp  
(1943)

CONTRACTORS, I certify that the above contract is approved  
at the estimated costs and under the terms above stated  
are necessary for the prosecution of the war.

Contracting Officer  
Bureau of Defense

Approved by the Bureau of Defense, War Relocation Authority  
APPROVED: \_\_\_\_\_ 1943

County Chief of Procurement and Material  
By Direction of the Secretary of the Navy  
and the Director of Purchases, WPA

APPROVED: \_\_\_\_\_ 1943

Chairman, Industrial Committee, WPA

Copies to:  
BUSHIPS (126)  
BUSHIPS (278)  
BUSHIPS (760)  
BUSHIPS (760c) (Room 3-2050)  
BUSHIPS (762)

**SUPERVISOR OF SHIPBUILDING, U. S. NAVY**  
 Seattle-Tacoma Shipbuilding Corporation, Tacoma Yard  
**TACOMA, WASHINGTON**

N26 (AF)

13 AUG 1943

FJT:Ln

*Wds. 779*  
*" 1051*

*@*

To: Chief of the Bureau of Ships

Subj: Bureau of Ships' Facilities Contracts - Procurement  
 of Electricity, Gas and Water for All Shore  
 Establishments.

Ref: (a) BuShips ltr. NN/N26(764-D) over EN28/A2-11 *(b)*  
 dated 29 June 1943 to All SupShips, USN.

1. Information is requested by the Supervisor as to whether or  
 not reference (a) outlining the procurement of electricity, gas  
 and water for all shore establishments applies to the Seattle-  
 Tacoma Shipbuilding Corporation, Tacoma, Washington, which is  
 dually owned by the contractor and the Government - the majority  
 of ownership vesting in the Government.

J. L. McGUIGAN

*F. J. Thomas*

F. J. THOMAS  
 By direction

REPRODUCED AT THE NATIONAL ARCHIVES

OF WFOCIN WFOZ WFO	<i>8 of Seattle Tacoma LA</i>	CODE 764
OF WFOCIN WFOZ WFO	<i>EN25-(49)</i>	HW 21

8150617

N. B. S. 50  
NAVY DEPARTMENT  
BUREAU OF SHIPS  
(Rev. 1-1-43)

ROUTE SLIP

Code of Originating Section		Initialed by		Date
SECTION 130	INITIALED		REMARKS	
	BY	DATE		
764	<i>[Signature]</i>	8-18-43	H. Darrow: Upon your advice I will prepare letter. 8/18/43	
156	WOB	8/18/43	Chandler of 4x D sup dimension of May 7 (see 919 of joint letter June 2, 1943) enclosed with ref. (a) intended to apply to Seattle-Tacoma situation. 11/2/43 suggested that Sup-ships inquiry be answered in the affirmative, referring to 49 of June 2, 1943 joint letter. WOB (156)	
764	<i>[Signature]</i>	8-20-43	<div style="border: 1px solid black; padding: 2px; display: inline-block;">             Chambers Director of Bureau           </div>	
764	<i>[Signature]</i>	8/21/43		
156	WOB	8/23/43		
760	<i>[Signature]</i>	8/24		
COPY RETAINED FOR SHORE FACILITIES FILES				
8150617				
DATE-SERIAL NUMBER				
ENCLOSURES	FILE	CROSS FILE	FILE NO.	
HW	DATE		9/11/43 Seattle Tacoma Lb.	
BC				

REPRODUCED AT THE NATIONAL ARCHIVES

OM/Seattle-Tacoma  
22 (764-4)  
526 (41)

TACOMA, WASHINGTON

ALLIPW  
8/19/43

13 AUG 1943

From:  
To:

The Chief of the Bureau of Ships.  
The Supervisor of Shipbuilding, USN,  
Tacoma, Wash.

Subject:

Shipbuilding facilities contract MObs-779 -  
Seattle-Tacoma Yard, Tacoma, Washington -  
Procurement of Electricity, gas and water  
for all shore establishments.

24 AUG 43

References:

- (a) SupShips ltr. N26(AF) to BuShips dated 13 Aug. 1943.
- (b) BuShips ltr. NM/N26(764-D) over NM26/12-11 dated 29 June, 1943 to All SupShips, USN.
- (c) Joint ltr. BuDocks No. LLO-3, C-6, Dir. Let. 147-43 and BuSanda No. LLO-3(51) dated 2 June 1943.

1. In reference (a) the Supervisor requests information as to whether or not reference (b) outlining the procurement of electricity, gas and water for all shore establishments applies to the Seattle-Tacoma Shipbuilding Corporation.

2. The Supervisor is informed in the affirmative. The following quotation from reference (c) is also submitted for additional guidance:

"A copy of each proposed contract for electric power, gas or water required at any government owned facility operated by a Navy Department contractor for the Government and pursuant to an operating contract shall be submitted, prior to execution, by the Officer in charge, technical inspector or supervisor of shipbuilding, as the case may be, to the Power Procurement Officer for the Navy Department (Bureau of Yards and Docks) via the bureau concerned. The Power Procurement Officer, after obtaining approval of the Federal Power Commission when and as required, shall send direct to such officer in charge, technical inspector or supervisor of shipbuilding notice of his approval of the

proposed contract or his directions with respect thereto."

S. B. Chambers  
By direction of  
Chief of Bureau

Copy to:  
BuSanda-CIS  
Cost Inspector

BUSHIPS (760)  
(770)



~~SM/Seattle-Tacoma Shipbuilding~~

Corp. (152)

*SM/Seattle - Tacoma  
Shipbuilding Corp.*

WWF:lf  
6/22/43

JUN 26 1943

From: The Chief of the Bureau of Ships  
To: The Supervisor of Shipbuilding, USN, Tacoma, Washington

Subject: Contract NObs-779 - Shipbuilding Facilities - Seattle-Tacoma  
Shipbuilding Corporation, Tacoma, Washington - Acquisition  
of Contractor's Interests in Yard.

Reference: (a) Ltr from SupShip to Chief BuShips, L24(00), dated  
March 19, 1943.

1. In reference (a) the Supervisor recommended that action be taken to acquire the interests of the subject Contractor in its shipbuilding yard at Tacoma, Washington. After full consideration the Bureau has determined not to proceed to recommend the acquisition of such interests at this time.

2. It is recognized that the acquisition of such interests by the Government would serve to eliminate the problems arising from the present dual ownership; and that such acquisition could be effected at this time on a favorable basis, particularly when the possible savings in depreciation and other vessel contract charges are taken into account.

3. On the other hand, the elimination of the dual ownership is not required for war purposes, and a present acquisition could be justified only if it could be shown that the yard as an integrated unit will be necessary for known post war purposes. It is reasonable to assume that the yard will not be needed for post war shipbuilding. It is possible that it might be used for storage and repair or shipping purposes, but neither of these uses would require the Contractor-owned facilities as most of the pier and warehousing facilities are already owned by the Government. Accordingly, there would seem to be no known post war use that would justify a purchase of the Contractor's interest at this time. If any post war use should later develop any increased cost which might result from the postponement of the acquisition would be justified since the purchase would then be for a known purpose and would be made in view of that purpose.

H. W. Gossy  
By direction of  
Chief of Bureau

6281277



~~Seattle-Tacoma Shipbuilding~~

Corp. (152)

*SM/Seattle-Tacoma  
Shipbldg. Corp.*

WWF:lf  
6/21/43

100-401948

From: The Chief of the Bureau of Ships  
To: The Supervisor of Shipbuilding, USN, Tacoma, Washington  
Subject: Contract NObs-779 - Shipbuilding Facilities - Seattle-Tacoma  
Shipbuilding Corporation, Tacoma, Washington - Acquisition  
of Contractor's Interests in Yard.

Reference: (a) Ltr from SupShip to Chief BuShips, 124(00), dated  
March 19, 1943.

1. In reference (a) the Supervisor recommended that action be taken to acquire the interests of the subject Contractor in its shipbuilding yard at Tacoma, Washington. After full consideration the Bureau has determined not to proceed to recommend the acquisition of such interests at this time.

2. It is recognized that the acquisition of such interests by the Government would serve to eliminate the problems arising from the present dual ownership, and that such acquisition could be effected at this time on a favorable basis, particularly when the possible savings in depreciation and other vessel contract charges are taken into account.

3. On the other hand, the elimination of the dual ownership is not required for war purposes, and a present acquisition could be justified only if it could be shown that the yard as an integrated unit will be necessary for known post war purposes. It is reasonable to assume that the yard will not be needed for post war shipbuilding. It is possible that it might be used for storage and repair or shipping purposes, but neither of these uses would require the Contractor-owned facilities as most of the pier and warehousing facilities are already owned by the Government. Accordingly, there would seem to be no known post war use that would justify a purchase of the Contractor's interest at this time. In any post war use should later develop any increased cost which might result from the postponement of the acquisition would be justified since the purchase would then be for a known purpose and would be made in view of that purpose.

6281277

R.G. 19.

Bureau of Ships  
General Correspondence  
1940 - 1945

TO

QM/Todd Pacific Shipyard. vol. 8  
to

Box No. 1003 Vol. 10



FRANCIS L. DUK  
SIGOURNEY B. OLNEY  
ARTHUR GUNTHER  
MADHILAN MOSS  
RALPH W. CROLY  
JULES HARTSHORN  
HARRY S. WIL  
JOSEPH R. RYAN  
AUGUSTUS J. WHEELER  
DIMITRI S. S. ERISTOFF  
WILLIAM R. ALLISON  
GEORGE A. WOOD  
MILO F. McDONALD, JR.  
CHARLES J. DODD, JR.  
PATRICK J. MANOHY  
STANLEY S. HAWKES  
JOHN H. BROUSE  
ROBERT S. LIBLE  
FREDERICK E. WILLIAMS  
GEORGE L. CRUSER

*Cullen and Dykman*  
*177 Montague Street*  
*Brooklyn 2, New York*

September 16, 1943.

Captain N. W. Gokey,  
Navy Department,  
Bureau of Ships,  
Washington, D. C.

Re: QM/Seattle-Tacoma Shipbuilding Corporation (152)

Dear Captain Gokey:

I have your letter of September 15, 1943, on this subject, to which you attached modifications to the leases dated June 16, 1941, between Todd Seattle Dry Docks, Inc. and Seattle-Tacoma Shipbuilding Corporation. We had previously submitted drafts of a modification agreement to the leases of the 33-acre tract and the 50-acre tract. Your letter and the agreements attached request certain modifications in the leases which were not included in the drafts which we submitted to you.

I have sent the forms to Seattle-Tacoma Shipbuilding Corporation with the request that they review the matter and, if the changes suggested by you are satisfactory, execute the leases as you request.

I am enclosing with this letter three copies of a letter from Todd Seattle Dry Docks, Inc., to the Chief of the Bureau of Ships, Navy Department, which has been requested by you. I am also enclosing a carbon copy of a form of letter which the Hooker Electrochemical Company and the New York Trust Company, as trustee, are

9270169A ✓

Will you please let us hear from you in this connection.

Harry B. Hill

**Enclosures**

1102 440371, 442 444444

Q M / Seattle Tacoma

CODE 1562

H W

TODD SEATTLE DRY DOCKS INC.  
SEATTLE, WASHINGTON

August 2, 1943.

OFFICE OF THE PRESIDENT

FROM: Todd Seattle Dry Docks Inc.,  
Harbor Island, Seattle, Washington.

TO: Chief of the Bureau of Ships, Navy Department  
Washington, D. C.

SIR:

By two leases each of which is dated June 16, 1941, the undersigned has leased certain real estate owned by it in the City of Tacoma, Pierce County, Washington to Seattle-Tacoma Shipbuilding Corporation (hereinafter called the "Lessee"), a Washington corporation, for the use of the Lessee in connection with its shipbuilding business.

It is understood that under Letters of Intent for Contract NObs-779 between the United States of America (hereinafter called the "Government") and the Lessee there are being constructed and installed at the site of such real estate certain shipbuilding facilities (hereinafter called the "Facilities"), that the Facilities have been or are to be paid for by the Government, and that title to the Facilities has vested, or is to vest, in the Government, all in accordance with and subject to the terms and conditions of such Letters of Intent and contract.

In consideration of the execution and delivery of such contract and the furnishing by the Government of the facilities for the use of the Lessee thereunder, the undersigned hereby agrees as follows:

- (a) Such real estate may be used for the purpose of such contract;
- (b) The Facilities located or to be located on such real estate shall not be or become part of the realty by reason of such location, shall not be affected as to their title by such location and may at any time be removed by or pursuant to the direction of the Government;
- (c) The above-mentioned leases of such real estate, or either thereof, may at any time be assigned or sublet to or at the direction of the Government without the further consent of the undersigned;

TODD SEATTLE DRY DOCKS INC.  
SEATTLE, WASHINGTON

#2

AUGUST 2, 1943.

OFFICE OF THE PRESIDENT

To Chief of the Bureau of Ships,  
Navy Department.

(1) Neither of such leases shall be terminated or the possession of the Lessee otherwise disturbed by the undersigned unless at least thirty (30) days' notice thereof shall have first been given to the Chief of the Bureau of Ships; and

(2) The Government and its duly authorized representatives shall at all times have access to such real estate for the protection of the interests of the Government in the facilities and the exercise of its rights under such contract.

The undersigned further agrees that in the event of any sale, mortgage, or other disposition or encumbrance of any claim, title or interest of the undersigned in or to such real estate there shall be included in any instrument or instruments effecting the transaction such provisions as may be necessary to give notice of the foregoing agreements, and that the undersigned will upon the request of the Chief of the Bureau of Ships execute and acknowledge such instrument or instruments as may be necessary to put on public record evidence of such agreements.

TODD SEATTLE DRY DOCKS INC.

*TP / Ramant*

Witness my  
hand and  
seal this

July 20th, 1943.

Chief of Bureau of Ships  
Navy Department  
Washington, D. C.

Dear Sir:

By lease dated May 1st, 1941, as extended by letters dated May 21st, 1942 and February 20th, 1943, the undersigned, Hooker Electrochemical Company has leased certain realty owned by it in the City of Tacoma, Pierce County, Washington, to Seattle-Tacoma Shipbuilding Corporation, Inc., (hereinafter called the "Lessee",) a Washington corporation, for the use of the Lessee in connection with its shipbuilding business.

It is understood that under a contract entered into between the United States of America (hereinafter called the "Government") and the Lessee designated contract NObs-779, the following shipbuilding facilities, to-wit,

1. Repair shop for a Diesel engine,
2. Temporary building for personnel organization,
3. Incinerator,
4. Pit for repairing locomotives,
5. Some fences,

(hereinafter called the "Facilities") owned by the Government are being or will be furnished for the use of the Lessee at the site of such leased premises.

In consideration of the execution and delivery of said contract, the furnishing by the Government of the facilities above described, and the mutual promises herein contained, it is agreed by and between the undersigned and the Lessee as follows:

(a) That subject to the terms and conditions of said lease, as hereby modified, the Facilities hereinabove described may be placed and remain on the leased premises and such premises used by the Lessee in connection with its performance of said contract.

REPRODUCED AT THE NATIONAL ARCHIVES



Chief of Bureau of Ships  
July 20th, 1943  
Page Number 2

(b) The Facilities hereinabove described located or to be located on said leased premises shall not be or become part of the realty by reason of such location, shall not be affected as to their title by such location, and may at any time be removed by or pursuant to the direction of the Government.

(c) The Lessee shall, in addition to the sums required to be paid by Paragraph VII of said lease, pay all taxes and assessments which may be assessed, charged or levied upon or against the facilities hereinabove described during the term of said lease or of any renewal or extension thereof, and shall indemnify and hold harmless the undersigned against any and all liability for taxes and assessments charged, levied or assessed upon or against such Facilities.

(d) The Lessee shall at the end of the term of said lease as extended or sooner termination thereof remove the Facilities, restore the surface of the leased premises to the same grade and condition as existed prior to the installation of said Facilities and surrender the leased premises in as good order and condition as they were prior to the installation of said Facilities.

(e) Said lease shall not be terminated or the possession of the Lessee otherwise disturbed by the undersigned unless thirty (30) days written notice thereof shall have first been given to the Chief of the Bureau of Ships.

(f) The Government and its duly authorized representatives shall at all times have access to the leased premises for the protection of the interests of the Government in the Facilities and the exercise of its rights under such contract.

(g) Said lease may at any time be assigned or sublet to or at the direction of the Government without the further consent of the undersigned.

The undersigned further agrees that in the event of any sale, mortgage, or other disposition or encumbrance of any right, title or interest of the undersigned in or to such real estate there will be included in the instrument or instruments effecting the transaction such provisions as may be necessary to give notice of the foregoing agreements, and that the undersigned will upon request of the Chief of the Bureau of Ships

Chief of Bureau of Ships  
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execute and acknowledge such instrument or instruments as may be necessary to put on public record evidence of such agreements.

This agreement and the terms and provisions hereof shall be binding upon and enure to the benefit of the successors and assigns of the undersigned and the Lessee, including the Government.

Yours very truly,

HOOVER ELECTROCHEMICAL COMPANY

By \_\_\_\_\_

The New York Trust Company and Augustus C. Downing as trustees under the Indenture of Mortgage of Hoover Electrochemical Company, dated as of February 1, 1937, hereby agree to be bound by the agreements of said Company set forth in the foregoing letter from said Company to the Chief of the Bureau of Ships of the Navy Department.

THE NEW YORK TRUST COMPANY

By \_\_\_\_\_  
As Trustee as aforesaid.

\_\_\_\_\_  
(Augustus C. Downing)

Approved and Accepted  
this \_\_\_\_\_ day of July, 1943.

SEATTLE-TACOMA SHIPBUILDING CORPORATION, INC.

By SEATTLE-TACOMA SHIPBUILDING CORPORATION, INC.

Its \_\_\_\_\_

(Lessee)

MAILED 2 JUL 21 1943

cc/Seattle-Tacoma SS Corp.  
(122)

9/12/43  
977/Seattle - Tacoma SS Corp.

18 SEP 1943

From: The Chief of the Bureau of Ships  
To: The Supervisor of Shipbuilding, TMS  
Tacoma, Washington

Subject: Contract WDB-779 - Shipbuilding Facilities -  
Seattle-Tacoma Shipbuilding Corp., - Proposed  
modification of Hooker Electrochemical  
Company lease.

1. The Bureau has been engaged in negotiations with respect to a proposed modification of the lease dated 1 May 1941 between the subject contractor and Hooker Electrochemical Company located appropriate in view of the location on the leased premises of certain of the facilities now covered by the subject contract. In a draft of the proposed modification agreement recently received, the facilities located on such premises are listed as follows:

1. Repair shop for a diesel engine
2. Temporary building for personnel organization
3. Incinerator
4. Pit for repairing locomotives
5. Gas fences

2. The Supervisor is requested to inform the Bureau whether the above list includes all the Government-owned facilities located on such premises, and also to advise the Bureau as to the approximate cost of each item of such facilities so located.

9201265

N. E. S. 80  
NAVY DEPARTMENT  
BUREAU OF SHIPS  
(Rev. 5-43)

# ROUTE SLIP

Code of Originating Section 151

Initialed by CMF

Date 9/15/43

SECTION Code	INITIALED		REMARKS
	BY	DATE	
200	my	9/14	
157	mu	9/15	1943
			K'D
			9201265
DATE-SERIAL NUMBER			
ENCLOSURES	FILE	CROSS FILE	FILE NO.
BW	DATE		ga/Scat 16-10-11
BC			11-10-11

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